UC-NRLF

B 3 510 545

EXCHANGE

WISCONSIN LIBRARY COMMISSION
LEGISLATIVE REFERENCE DEPARTMENT
COMPARATIVE LEGISLATION BULLETIN
No. 23

CORRUPT PRACTICES AT ELECTIONS

S. GALE LOWRIE

Prepared with the co-operation of the Political Science
Department of the University of Wisconsin

MADISON, WISCONSIN
FEBRUARY, 1911

WISCONSIN LIBRARY COMMISSION
LEGISLATIVE REFERENCE DEPARTMENT
COMPARATIVE LEGISLATION BULLETIN
No. 23

CORRUPT PRACTICES AT ELECTIONS

S. GALE LOWRIE

MADISON, WISCONSIN
FEBRUARY, 1911

CONTENTS

	Pages
REFERENCES.....	3
INTRODUCTION.....	5
Definitions.....	5
Expenditures.....	6
Contributions..	7
DIGEST OF CORRUPT PRACTICE LAWS.....	8
England.....	8
United States.....	11
State.....	13
SUMMARY	74
Illegal voting.....	74
Intimidation of electors.....	75
Publicity of campaign expenditures.....	76
Restrictions on contributions.....	78
Limitation on expenditures	79
Use of political agents and workers.....	82
Advertising.....	83
State contributions	84
Miscellaneous provisions.....	84
Penalties for violation	84

REFERENCES

- AYLSWORTH, L. E. Corrupt practices. American Political Science Review, vol. III, p. 51, Feb. '09.
Good synopsis of 1908 acts of Okla., Ore. and W. Va.
- BELMONT, PERRY. Publicity of election expenditures. North American Review, Feb. '05, pp. 166-85. Senate Doc. No. 89, 59th Congress, 1st Session.
Good review of legislation till date of publication.
- BLISS, W. D. P. Encyclopedia of Social Reform (1908). Corruption in Elections. p. 318.
Gives good description of the methods used by political bosses to control elections,
- BROOKS, R. C. Corruption in American politics and life, (1910). 304 p.
Contains a general survey of the form and causes of corruption and a good chapter on campaign contributions and the theory of party support.
- CARR, J. F. Campaign funds and campaign scandals. Outlook, vol. LXXXI, pp. 549-554, Nov. 4, '05.
The nature of campaign expenditures is shown and argument made for their restriction and dependence upon small personal contributions for funds.
- COOLEY, T. M. Constitutional Limitations. 7th ed. (1903), p. 99n.; ch. XVII, p. 892.
Discusses constitutionality of laws regulating elections.
- FINCH, E. R. Independent, v. 68, p. 1020 (May 12, 1910).
Describes fraudulent practices in registration and elections and the operation of the N. Y. registration law.
- FOX, G. L. Corrupt practices and election laws in the United States since 1890. Proceedings American Political Science Association, '05, vol. II, p. 171.
Discusses election laws in U. S. and the English law with special reference to enforcement of election laws.
- GEORGE, H. Money in Elections. N. Am. Rev., v. 136, p. 201, (1883).
A good outline of the use of money under the old régime.
- JELF, E. A. The Corrupt and Illegal Practices Prevention Acts of 1883 and 1895. London 1905, 3rd ed., 239 p.
The text of English law with decisions thereon and a discussion of election petitions and contests under the acts.

KS, J. W. Money in practical politics. Century, vol. 44, pp. 940-5, Oct. '92.

Gives specific information on assessment of candidates, voluntary contributions and the purchase of votes.

LEFÈVRE-PONTALIS, ANTONIN. Les élections en Europe a la fin du 19e siècle. Paris 1902.

Treats briefly the law against corrupt practices in the chief countries of Europe.

LOWELL, A. L. The Government of England, vol. 1, pp. 221-237 (1908).

Contains an admirable outline of the English corrupt practice act with a discussion of its actual workings.

OSTROGORSKI, M. Democracy and the Party system in the United States (1910).

Gives an excellent description of the actual working of elective machinery.

PORRITT, EDWARD. Political Corruption in England, North American Review, vol. 183, p. 995, Nov. '06.

Workings and deficiencies of the English election act discussed.

Raising Campaign Funds. World's Work, vol. XII, p. 8070, Oct. '06.

Decline in large contributions. Legislation to prevent corporation subscriptions.

Report of Committee of House of Representatives on election of President, Vice President and Representatives in Congress. H. of R. Report No. 1505. 60th Congress, 1st Session.

Discusses the power of the federal government to control and supervise elections.

RUSSELL, CHAS. ED. At the Throat of the Republic. Cosmopolitan, vol. XLIV, Nos. 2, 3 and 4; Dec. '07, Jan. and Feb. '08.

Discusses illegal voting, intimidation and corrupt practices at elections, under the heads: 1. Before the election; discussing colonizing non-resident voters, personation and illegal registration; 2. At the election; discussing illegal voting, mutilating ballots, bribery and intimidation of voters; 3. After the election; dealing with the miscount of ballots, certification of false returns and suppression of fraudulent practices.

INTRODUCTION

From the earliest times gross offenses against the suffrage such as bribery, intimidation and treating have been indictable at common law.* With the beginning of the fifteenth century, English statutes began to define more specifically what constituted corrupt and illegal practices during election campaigns and to penalize acts not only *malum in se* but *malum prohibitum* as calculated to increase the expense of campaigns and to operate against the purity of elections. The English statutes culminated in the Corrupt and Illegal Practices Prevention Act of 1883 and its amendment of 1895 (46 and 47 Vict., ch. 51; 58 and 59 Vict., ch. 40). This law has been the basis of the corrupt practice acts of the English Colonies and the model of the more advanced statutes of the United States as found not only in the general but in the primary election laws.

Definitions. The definitions of corrupt practices found in most of the laws are especially constructed for the statute in question and in their more restricted meaning frequently contemplate the illegal use of money or position to influence electors. Under the British statute corrupt practices at elections include: 1. bribery; 2. treating; 3. undue influence; 4. personation, and aiding, abetting, counselling and procuring the commission of the of-

*Lord Mansfield in *Rex v. Pitt* and *Rex v. Mead*, 3 Burr. 1335 (1762).

fense of personation; 5. knowingly making a false declaration as to election expenses. The English law also defines and provides penalties for illegal practices and payments.

The Maryland law of 1908 penalizes as corrupt practices: 1. bribery, or the solicitation or payment of funds for that purpose; 2. treating; 3. contributing to campaign expenses except through authorized political agents; 4. paying or receiving contributions in the name of one other than the contributor; 5. displaying on the part of an employer any political motto, device, argument or threats upon pay envelopes, or posting notices just prior to an election that pay will be decreased or work diminished in the event of a certain election contingency or giving any other information calculated to influence the votes of employes.

For the purpose of this digest corrupt practice has been construed to embrace illegal voting or any act which in practice or design tends to hinder or improperly influence an elector in the exercise of his right of franchise so that his judgment is perverted or he fails to cast his vote in accordance with his desire.

Recent laws designed to conserve purity in elections have dealt specifically with the use of money in campaigns.

Expenditures. What constitute illegal expenditures are explicitly stated in the laws of some states but most of these also follow the more general custom of specifying what constitute legal expenditures and prohibiting all others. Legal expenses generally embrace the personal expenses of candidates, the expense of conducting public meetings to discuss public questions, postage, expressage, telephoning and telegraphing, advertising according to prescribed

methods, and the expense of conducting campaign headquarters. Examples of such provisions may be found in the laws of Connecticut, Minnesota, Oregon and West Virginia.

Contributions. There has been a marked tendency, especially in the primary election laws, to reduce the amounts used for campaign purposes and also to regulate the sources of contributions. In accordance with this trend many states have prohibited the contribution of corporations to campaign funds and have penalized severely infractions of this law. The making of political assessments against office holders, or even against candidates has been regulated. Provisions that contributions and expenditures be made through a responsible political agent have become quite general as have the provisions for filing with public officials sworn, itemized statements of all campaign receipts and disbursements, stating from whom payments were received, to whom paid and the purposes of the expenditures. Amounts which a candidate may legally spend in his campaign have been regulated in some states on the basis of the number of votes cast in the last election for the office for which he is a candidate; in others, upon the salary of the office in question.

Recent election laws have also been characterized by increased precautions against illegal registration, personation and illegal voting, and against the control on the part of employers of the votes of their employes.

DIGEST OF CORRUPT PRACTICE LAWS

England. 46 and 47 Vict. ch. 51 (1883). A corrupt practice consists in treating, using undue influence, bribery and personation, or in aiding or counselling such offenses. Any candidate guilty of a corrupt practice in any borough or county may not represent that borough or county in the House of Commons for seven years and if the offense be other than treating or the use of undue influence, he shall forever be debarred from holding a seat in the House of Commons except when it appears that the offense was trivial and the candidate took due caution to prevent it. One committing a corrupt practice other than personation is guilty of a misdemeanor and is subject to imprisonment not longer than one year with or without hard labor or to a fine of not over £200 and is disfranchised and disqualified for holding office for seven years.

One committing personation or aiding another in such a crime is guilty of a felony and punished by imprisonment at hard labor for not longer than two years. Voting when not qualified or inducing others to do so is an illegal practice. To bribe a candidate to withdraw from an election contest is an illegal payment. The use of any threat or force to induce an elector to vote contrary to his inclinations, or to refrain from voting, or because of his having done so constitutes "undue influence".

A candidate may pay for his own "personal expenses" in the campaign (i. e. reasonable hotel and traveling expenses and expenses incidental thereto) to an amount not exceeding £100, but any further expense must be incurred through an authorized election agent. Money may not be expended for hiring conveyances to take electors to the polls or for displaying election advertisements on an elector's premises, or for bands of music, torches, banners and the like.

A candidate's legal expenses are for: one election agent, a certain number of clerks, committee rooms, advertising, holding public meetings, stationery, etc.; in the aggregate they may not exceed a scale based upon the number of electors on the register. One knowingly making any payments or offering or accepting any employment not permitted by this act is guilty of an "illegal payment" or "illegal employment" and is liable to a fine not exceeding £100, and is not permitted to vote in the election. Every election bill or poster must bear upon its face the names of the printer and publisher. Violation on the part of a candidate constitutes an "illegal practice" punishable by a fine not exceeding £100 and disfranchisement and disqualification for holding office for five years; violation by another, is punished by a fine only. Publishing a false statement of the withdrawal of a candidate is penalized. Complete itemized accounts must be kept of election expenses and sums of over forty shillings must have vouchers. Claims against agents must be presented within fourteen days of a candidate's election and paid within twenty-eight days. The agent's expense statement must include the personal expenses of the candidate and

be sworn to and filed within thirty-five days of the election. If one sits in parliament when his statement is due but not filed he shall forfeit £100 for each day to anyone suing for the same unless there be a valid reason for delay. The returning officer receiving accounts of election expenses must publish a summary thereof in at least two newspapers in the county or borough of election.

58 and 59 Vict. ch. 40. One who knowingly publishes before or during a parliamentary election any false statement in relation to the personal character or conduct of a candidate to affect his election is guilty of an illegal practice. A candidate is not liable for the illegal practice of anyone other than his election agent unless he consented to the act or paid to circulate the false statement.

Canada. The dominion and provincial acts follow very closely the English statute with such modifications as are required for American conditions.

Dominion Acts— Revised Statutes of 1906, vol. 1, ch. 6.
vol. 1, ch. 8.
vol. 1, ch. 9, secs. 5—9, 14, 25.
Laws 1908, ch. 26.
Laws 1910, ch. 10, sec. 235.

Provincial Acts—

Alberta— Stats. 1909, ch. 3.

British Columbia— Stats. 1903-4, ch. 17.

Manitoba— Rev. Stats. 1902, ch. 52.

Amended 1903

1904

1906

1910.

New Brunswick— Consolidated Statutes 1903 (52 Vict.) ch. 3.
4th Ed. VII, chs. 3, 4.
6th Ed. VII, ch. 21.
7th Ed. VIII. chs. 9, 10.

<i>New Foundland</i> —	Consolidated Statutes 1889, ch. III. 56 Vict. ch. 17 (1893). 61 Vict. ch. 42 (1898). 62 Vict. ch. 8 (1899). 1 Ed. VII, ch. 12 (1901).
<i>North West Territory</i> —	General ordinances, 1905, pp. 294, 644.
<i>Nova Scotia</i> —	Acts 1909, ch. 6.
<i>Ontario</i> —	Rev. Stats. 1897, chs. 9, 10. 61 Vict. ch. 5. 62 Vict. chs. 4, 5. 63 Vict. ch. 4. 1 Ed. VII, ch. 3. 2 Ed. VII, ch. 7. 3 Ed. VII, chs. 7, 19. 4 Ed. VII, chs. 3, 4. 6 Ed. VII, chs. 7, 8. 7 Ed VII, chs. 5, 6, 8.
<i>Prince Edward Island</i> —	8 Ed. VII, ch. I (1908).
<i>Quebec</i> —	Rev. Stats. 1909, v. I, pp. 122, 127, 188.
<i>Saskatchewan</i> —	Acts of 1908, ch. 2.
<i>Yukon</i> —	Consolidated ordinances 1902, pp. 44, 610.

United States—The power of congress to control elections at which representatives in congress are chosen is practically unlimited; even in questions where the election of other officers, state or municipal, are more vitally concerned.

Ex parte Siebold, 100 U. S. 371 (1879); Ex parte Clarke, 100 U. S. 399 (1879); Ex parte Curtis, 106 U. S. 371 (1882); Ex parte Yarborough, 110 U. S. 651 (1883); James v. Bowman, 190 U. S. 127. (1903).

Act of Congress, Aug. 15, '76, ch. 287, sec. 6. Executive officers or employes of the United States are forbidden to request, give or receive from any officer or employe

of the government, any money or thing of value for political purposes.

Act of Congress, June 29, '06, ch. 3592, sec. 6. No court may issue a certificate of naturalization within thirty days of any general election within its territorial jurisdiction.

Acts of Congress, Mar. 4, '09, ch. 321, secs. 19-26; secs. 78-83. Any conspiracy to intimidate a citizen in the free exercise of any right or privilege secured under the constitution or laws of the United States or to prevent the exercise of such a right is punished by a fine of not over \$5,000, imprisonment for ten years and disqualification for holding office under the constitution or laws of U. S. Depriving one of such rights under color of any laws or because of nationality or race is punishable by fine or imprisonment. Naval or military officers who interfere with qualified voters are subject to fines of \$5,000, imprisonment for five years and disqualification for holding office. One using a false naturalization certificate or attempting to vote when not a citizen is punished by a fine and imprisonment. No national bank or corporation organized by authority of congress may make any campaign contributions. No corporation may make any contribution in connection with any election, at which presidential electors, or representatives in congress are to be chosen, or where a U. S. senator is to be elected by a state legislature. Violation of this provision subjects a corporation to a fine of not over \$5,000 and every officer or director authorizing such a violation is liable to a fine not to exceed \$1,000 and one year's imprisonment.

Act of Congress, June 6, '10, ch. 392. Political committees operating in more than one state or attempting to influence the election of congressmen must operate through political chairmen and treasurers and keep detailed accounts of all receipts and disbursements. Disbursements over \$10 in amount must be evidenced by vouchers. Political committees and persons, firms, etc., contributing more than \$50 independently of such a committee, must file within thirty days of an election, sworn, itemized statements of account with the clerk of the House of Representatives. For fifteen months such statements are to be open to public inspection. Failure to comply with this provision is punishable by a fine not exceeding \$1,000 or one year's imprisonment or both.

Alabama. Const. '01, Art. VIII, secs. 182-195. Those convicted of bribery or suborning witnesses to secure the registration of electors are disqualified for holding public office and disfranchised. False swearing at elections, false registration or paying the poll tax for another is punishable by imprisonment in the penitentiary for from one to five years.

Cr. Cd. '07, secs. 6778-6990. False declaration by an elector of inability to prepare his ballot, receiving money or valuables in exchange for one's vote, bribing electors or loaning money with the intent that it shall not be repaid or otherwise corruptly attempting to interfere with the free exercise of suffrage, is punishable by a fine of from \$50 to \$500. Bribery at primary elections is punishable by a fine of from \$100 to \$500. Any corporation or employer attempting to coerce or intimidate his employes, or threatening to discharge them or lessen their pay, in order to influence their

vote, or demanding inspection of an employe's ballot, is subject to a fine of \$500. Preventing a voter from casting his ballot may be punished by a fine of from \$500 to \$1,000 and imprisonment in the county jail from six months to one year. Voting more than once or where one is not entitled to vote is punished by a penitentiary sentence of from two to five years; registering for another, or more than once, or procuring the registration of anyone not a qualified elector, or making a false statement touching one's qualification for registering is punished by a penitentiary sentence of from one to five years; voting without being registered or taking an oath is penalized by a fine of from \$100 to \$1,000, or hard labor in the county jail from one to six months. Betting on elections is penalized by a fine of from \$20 to \$500. No person may dispose of any liquor on any election day or on the preceeding day. Candidates must file within thirty days after an election, sworn itemized statements of their canvass; failure to do so subjects them to fines of from \$100 to \$1,000.

Pol. Cd. '07, secs. 368, 514. Conviction of bribery or an attempt to influence a voter at a primary or regular election renders one ineligible to hold office for the term for which he was elected. The provisions of the general election laws apply also to the primaries.

Pol. Cd. '07, sec. 532. If a candidate works through a political committee or campaign manager he must so notify the judge of probate of his county. The committee or manager must also file statements of campaign expenses.

† *Arizona.* Rev. Stats. '01, Title IV, secs. 35-69. Illegal voting, registering, allowing one's ballot to be seen,

or making any false statement of one's inability to mark his ballot, is punishable by a fine or imprisonment. Contributing or accepting any money or valuable thing in the form of a gift or loan to influence one's vote is illegal. It is unlawful to furnish entertainment to electors to promote the election of any person, or to convey voters to the polls, except those sick, infirm or at a distance, or to compensate anyone to secure the attendance of electors. It is a misdemeanor for one to work for the nomination or election of any candidate with the intention of receiving compensation therefor. Money may not be furnished to promote the election of any candidate except for holding public meetings to discuss public questions and to print and circulate handbills and papers. Within thirty days after an election, candidates and chairmen and secretaries of political committees must file sworn, itemized statements of all moneys contributed and expended in their campaign, stating from whom the contributions were received and to whom paid and for what purpose. Such statements are open to general inspection until the next general election. Any candidate failing to file such statement is guilty of a misdemeanor and forfeits the office should he be elected. Candidates' contributions must be voluntary and made at a meeting at which none but candidates are present. No committeeman may receive any thing from a candidate and it is a misdemeanor to ask a candidate for any contribution. One who has bet on any contingency growing out of the election forfeits his rights to vote. No candidate may make any bet nor furnish money for such a purpose. It is a misdemeanor to use threats or violence to prevent the attendance of electors at public meet-

ings to discuss public questions, or to influence them in voting. Employers or corporations may not use pay envelopes containing statements calculated to influence the political action of their employes nor post any notices in their establishments during the ninety days prior to an election, threatening the cessation of work or decrease in pay should any contingency depending upon the election occur. Violation is penalized by a fine and imprisonment. No liquor is to be dispensed on election day.

Title XX, sec. 2349. One entitled to vote at any election may absent himself from his employment for two hours for that purpose and be subject to no penalty or decrease of wages therefor. Application for leave must have been made the previous day and the hours may be specified by the employer. Violation of this provision by any employer is a misdemeanor, punishable by imprisonment in the county jail.

Laws '09, ch. 24. What constitute offenses against the general election laws are also offenses if committed at a primary election.

Arkansas. Const. '74, Art. III, sec. 6. Bribery or other wilful and corrupt violation of any election law is a felony, and disqualifies one for holding any public office in the state.

Kirby's Digest '04, secs. 1665-2897. Bribing or intimidating or unduly influencing electors by threat of violence, foreclosure of mortgage, discharge from employment or expulsion from any society, deceiving an illiterate voter, any elector's taking any valuable thing in consideration for his vote, and voting illegally constitute penitentiary offenses. Dram shops must be closed on elec-

tion day and the succeeding night and no liquor is to be given away.

Giving away liquor on election day, with or without reference to the election constitutes an offense. *Wolf v. State*, 59 Ark. 297 (1897).

Laws '07, p. 163. Mills, mines, shops and factories must close or change their force not later than 4 P. M. on election day that employes may vote. The failure of any superintendent or one in charge to do so is a misdemeanor, punishable by a fine of from \$25 to \$250.

Laws '09, p. 505. Illegal voting, accepting or offering any bribe, or intimidating any elector at a primary election is punished as a felony by imprisonment in the penitentiary at hard labor. Soliciting or accepting any donation from a candidate or any candidate's offering a contribution is punishable by a fine of from \$25 to \$300. Within fifteen days of a primary election every candidate must file with the county clerk, and within thirty days with the secretary of state, a sworn itemized statement of his expenses in the campaign. Failure to do so is punishable by a fine of from \$50 to \$1,000.

d. California. Const. 1880, Art. XX, secs. 10, 11. One convicted of bribery to secure an election or appointment is disqualified for holding office.

Kerr's Crim. Cd. '08, Pt. I, Title IV, secs. 42-64. Illegal registration, voting, or personation, is a felony; aiding or counseling one to vote knowing him not to be qualified is a misdemeanor. Deceiving an illiterate voter, attempting to influence an elector by force, threats, bribery or corrupt means or to deter him from exercising his right of franchise; paying or loaning any valuable thing, promis-

ing or attempting to procure an office; furnishing money for bribery, board or lodging to secure votes; inducing one to withdraw as a candidate; or receiving any reward for voting or securing the indorsement of any candidate by any club or convention, is a felony. Furnishing entertainment or conveyances for electors other than to convey those sick and infirm to and from the polls, or giving money to promote the election of any candidate, except for holding and conducting public meetings for discussion of public questions and for printing and circulating bills and papers, is a misdemeanor. Betting on the election or disposing of liquor while the polls are open is a penalized. It is a misdemeanor for employers to display upon pay envelopes anything calculated to influence the political action or opinions of their employes, or within ninety days of an election to display any notice to the effect that upon the occurrence of any contingency dependent upon the election, work will cease or pay be reduced; or to display any notice containing threats calculated to affect the political action of their employes. Violation by a corporation forfeits its charter. It is a misdemeanor to demand that a candidate for a legislative body pledge his vote on any measure which may come before that body and if any candidate make such a pledge he is disqualified for office if elected. It is a misdemeanor to write, print or circulate anything designed to injure a candidate or reflect upon his personal character or political action unless there be conspicuously displayed thereon the name of the chairman or secretary or of at least two officers of the organization issuing it, or the name and residence of a voter of the state responsible for the same. It is a misdemeanor for a printer to issue such matter without showing where it was printed. It is a felony for any

candidate for the U. S. Senate to give or loan any money or property to a candidate for the legislature, or for the latter to receive it, either before or after his nomination or election under an expressed or implied promise that he will support the candidate for the U. S. Senate. These laws are applicable to the primary as well as to the general elections.

Laws '07, p. 671. Every candidate voted for at any public election must file within fifteen days after the election, an itemized sworn statement showing in detail all moneys loaned or contributed by him or furnished him to aid his election. The statement must show from whom contributions were received and to whom they were paid and for what purpose. Vouchers must be shown for all expenditures over \$5. Every political committee must act through a treasurer in receiving and expending money. The only expenses which may be legally incurred are those for public meetings for discussion of public questions, for printing and circulating papers and for advertising, postage, etc., supervising registration, election and counting of ballots and an amount for maintaining headquarters, not to exceed \$100 for a candidate nor \$1,000 for a political committee. The total expenditures of candidates must not exceed a certain fixed percentage of the salary of the offices for which they are candidates. All claims for campaign expenses must be presented to the candidate or political committee within ten days after the election and paid by the candidate in twelve or by the committee in fifteen days. Violation of these provisions is a misdemeanor.

It is constitutional to provide that a candidate file a statement of election expenses or forfeit the office, if elected. A promise of patronage is illegal. *Bradley v. Clark*, 133 Cal. 196 (1901).

Laws '09, p. 691. The money spent in the primary must not exceed certain specified amounts determined upon the number of votes cast for the office at the last general election. Candidates must file in duplicate verified statements of every sum contributed or expended to secure nomination. One copy must be filed with the officer issuing certificates of nomination and one with the county recorder.

Colorado. Mills' Anno., Stats. '90, ch. 36, secs. 1369-1714 (Gen. Laws '77, pp. 368-395; Laws '87, secs. 347-349). Voting more than once or in a precinct where one is not a resident, or procuring false registration, or aiding another to do so at any election or primary, or participating in the primary of a party to which one does not belong is a misdemeanor punishable by a fine or imprisonment or both. Personation is punishable by hard labor in the penitentiary not to exceed three years.

Persons influencing voters by bribery or other corrupt devices or attempting to disturb their free exercise of the suffrage or deceiving them in the preparation of their ballots; and electors receiving bribes in the general election or primary, are guilty of misdemeanors punishable by fine or imprisonment or both.

Saloons must be closed and no liquor is to be dispensed on election day.

The use of money in the primary election except for the holding of public meetings and publication of campaign literature is punishable as a misdemeanor by a fine or imprisonment or both. Corporations or employers must not attempt to influence the votes of their employees under penalty of a fine of from \$500 to \$1,000.

Laws of '91, p. 165. Employees entitled to vote may absent themselves for that purpose for two hours and be subject to no penalty or deduction of wages therefor except those working by the hour. Application for absence must have been made the preceding day and the hours may be specified by the employer. Failure to comply with this provision or subjecting an employe to a penalty, is a misdemeanor. Pay envelopes shall not contain any mottos or devices calculated to influence the political action of employes, nor shall notices be displayed within ninety days of an election, suggesting that the amount of work or the pay of employes will be reduced or increased in the event of any election contingency. Violation by employers or officers of corporations, is a misdemeanor. Corporations attempting to influence political actions of employes by threats or violence are guilty of misdemeanors and forfeit their right to do business in the state. Bribery, intimidation, or the use of violence by those not employers for the purpose of influencing the vote of electors is penalized. Betting on the elections is a misdemeanor.

Every candidate and every chairman of a political committee presenting candidates must file within thirty days after an election a sworn itemized statement showing in detail all moneys contributed and indicating to whom and for what purpose they were expended. Neglecting to comply with this provision causes the forfeiture of the office and is punishable by a fine or imprisonment in the penitentiary or both.

Laws '09, p. 141. The amounts candidates may contribute is limited to 40% of the first year's salary. The

making of contributions by others or by corporations or the receiving of such funds by a candidate or a political committee is a felony.

6. *Connecticut.* Gen. Stats. '02, sec. 43; secs. 1700-1714; sec. 2699. Fraudulently registering or inducing an elector to refrain from voting is punished by a fine or imprisonment or both. Personation, perjury as to an elector's qualifications, or illegal voting is punished by a fine, imprisonment and disfranchisement. A legislator elected by any illegal practice forfeits his seat. Betting, stakeholding or keeping a place where pools are sold on the election is punishable by a fine and imprisonment. Employers who influence the votes of their employes by threats or penalties are punished by a fine or imprisonment or both.

Laws '03, ch. 207. Attempting to induce an elector to mark his ballot that it may be identified to indicate how he voted or that it may be thrown out, is a penitentiary offense.

Laws '05, ch. 181. Printing and circulating unofficial ballots is penalized by fine or imprisonment or both.

Laws '05, ch. 273. Participating in the primary of a party to which one does not belong, or in an election in a precinct where one does not reside, or procuring the false registration of another, is penalized by a fine and imprisonment.

Laws '07, sec. 21. Acts which constitute offenses against the general election laws are also offenses if committed in the primaries.

Laws '09, ch. 353. Candidates and political committees are required to act through political treasurers and agents and no person other than the candidate may con-

tribute to the campaign expenses except through the political treasurer or agent. No corporations or judges, except of probate, may contribute at all. Candidates may pay certain specified personal expenses. What constitute lawful expenditures for political agents are designated. Political treasurers and agents must file sworn, itemized statements of campaign expenses within fifteen days of the election and are subject to fines for each day's delay. For fifteen months, all statements filed are to be open to public inspection. The following are declared corrupt practices and are punished by fine or imprisonment or both: bribery, the solicitation of funds from candidates for any club or political organization, promising employment or positions of trust, making payments in other than one's own name and the use of corporation funds for political purposes.

1 *Delaware.* Const. '97, Art. V, secs. 3, 7. Bribery in registration and election is forbidden and in the latter case is punished by a fine or imprisonment or both and by disfranchisement for ten years. Betting on elections is a misdemeanor.

Cd.' 52, Rev. of '93, ch. 16. Bribery and illegal voting are punishable by fines. A candidate guilty of bribery or offering to serve for a less sum than the law allows is disqualified for holding office for five years, and must vacate any office to which he has been elected. One betting on an election may be sued for twice the amount of the bet and a stakeholder paying over such money is personally liable. The sale of liquor on any election day is punishable by a fine and one convicted shall not receive a license for two years. A qualified voter who is prevented from

voting by intimidation or force has a right of civil action against the person preventing his voting and may vote elsewhere.

Vol. XVI, '81, ch. 329. A person or corporation attempting to hinder or intimidate a qualified voter in exercising his right to vote or bribing him or threatening to affect his employment is guilty of a misdemeanor, punishable by a fine from \$500 to \$2,000 or imprisonment, if a natural person. Every elector so aggrieved may sue for a sum not to exceed \$500.

Vol. XXI, '98, ch. 35. Illegal registration or personation or registering without first having one's name removed from a prior register, or preventing the registration of a qualified elector, or making any assault or riot near any registry place is punishable by a fine not to exceed \$500 or imprisonment for not more than three years, or both.

Florida. Gen. Stats. '06, secs. 170, 3826. Illegal voting or personation in an election or primary is punishable by fine or imprisonment; attempting to influence an elector by bribery or intimidation, and making false declarations of one's ability to prepare his ballot, are penitentiary offenses. For being interested in any election wager one is liable to a fine as high as \$300. Any one convicted of bribery or betting on elections is disfranchised. Any employer discharging or threatening to discharge any employes for voting or not voting in any election may be fined not to exceed \$1,000 and any officer of a corporation giving such an order may be fined not more than \$500 or imprisoned six months. No corporation may contribute for political purposes. Violation of this

provision vitiates its charter, if a domestic corporation, and forfeits its right of doing business in the state if a foreign corporation. Violation by an officer or agent of a corporation is punishable by a fine of from \$1,000 to \$10,000 or a state's prison sentence of from two to five years or both. Any one aiding or advising a violation of this provision is punishable as is the principal offender. No liquor may be sold between 6 P. M. on the day before elections and 6 A. M. on the day after.

Laws '09, No. 60. Candidates are required to file sworn itemized statements of all campaign expenses to date, not later than ten days before the primary. This must include the names of all contributors whether persons or corporations and state their relation to the candidate, whether by blood, marriage, business, political or fraternal association and include the names of all those making him loans, which would not be made him were he not a candidate. Not later than ten days after the primary another statement must be filed showing such expenses as were incurred after the first statement was filed and also a list of his "political workers", i. e. those who left their regular avocations to further his candidacy. A candidate refusing to comply with this act is subject to a fine not exceeding \$500 and his name will not be placed on the official ballot nor presented before the legislature as a candidate for the U. S. Senate. No one whose intention of becoming a candidate has been made known shall contribute to or promise any person or association any money, liquor or thing or value to influence votes, or make contributions to churches, schools or charitable institutions. The making or receiving of gifts in violation of this provision, shall be considered

bribery and one convicted thereof shall be subject to imprisonment not less than one year and disfranchisement for ten years. For a second offense one is forever disfranchised and subject to a penitentiary sentence of five years. It is a misdemeanor for a tax collector to receive a poll tax from any one besides the person taxed unless at the latter's request and before the second Saturday in the month preceding the primary. Illegal voting in the primary is punished by a fine not to exceed \$1,000 or by imprisonment in the county jail not longer than one year or both. One entitled to vote in the primary may absent himself from his employment a reasonable time therefor and be subject to no penalty. It is a misdemeanor to distribute cards or political matter near the polling places. *Georgia*. Cd. of '95, Vol. III, sec. 446, secs. 625-635. Furnishing liquor on election day within two miles of the polls is a misdemeanor. Illegal registration or personation. is penalized.

Vol. I, sec. 32. Those convicted of bribery or penitentiary offences are disfranchised.

Laws '05, p. 111. Buying or selling votes in the primary, or contributing money therefor, is a misdemeanor punishable by a fine not to exceed \$1,000, or work in the chain gang for not more than six months.

Laws '06, p. 46. Buying and selling votes or contributing money therefor, and illegal voting, are misdemeanors.

Laws '08, p. 63. Candidates must file, within twenty days of a primary or election, a sworn, itemized state-

Code of 1895, vol. III, sec. 635—The act is constitutional; drunkenness is no excuse for illegal voting. *McCool v. State*, 91 Ga. 740—(1893).

ment of all money contributed and expended, and show from whom it was received, and to whom paid, and for what purpose. The statement must be printed in some newspaper of general circulation published at the state capital. Violation of this provision is a misdemeanor, and no one so violating it shall be a nominee of his party. It is illegal for a corporation, or an agent thereof, to make or authorize any campaign contribution. Any corporation violating this provision is subject to a fine of ten times the amount of the contribution, but not less than \$1,000. Officers authorizing the contribution may be imprisoned for from one to four years.

Hawaii. Rev. Laws '05, secs. 33-36. Every candidate must furnish inspectors at each precinct on the day before an election a complete list of the persons allowed by law to be employed. No person not on the list may work at a polling place in behalf of a candidate; gratuitous assistance is not forbidden. Itemized, sworn statements of election expenses must be filed by each candidate, agent and committee within twenty days of any election, showing the amount expended and the purpose of expenditures. This statement is open to public inspection. Only the following constitute legal expenditures: personal expenses of candidates, printing and advertising, stationery and postage, public meetings, expenses for a committee room for each polling place, a limited number of clerks, and a watcher at the polls.

Rev. Laws '05, secs. 107-111. There are two classes of offenses against the election laws—election frauds and misdemeanors. The following constitute election frauds: giving, lending or promising money or employment to

influence an elector in his use of the franchise ; making any loan or gift to any other than those authorized by law to receive the same ; furnishing money to be used as bribes or to convey voters to the polls ; re-paying money unlawfully expended ; providing entertainment for electors ; the use of violence or intimidation to prevent the free exercise of the elective franchise ; receiving any consideration by electors for voting or refraining from voting for any person or party ; illegal voting or personation ; publishing a false statement of the withdrawal of a candidate ; inducing a candidate to withdraw by bribes or threats. One found guilty of any of these offenses is subject to a fine of from \$100 to \$1,000, or imprisonment at hard labor for from ten days to two years, or both, and is disfranchised and disqualified for holding office.

The following constitute misdemeanors : being employed to promote or prevent the election of any candidate except as authorized by law ; establishing committee rooms where intoxicants are sold ; a candidate's failing to furnish a list of agents as required by law or to file election expense accounts. Violation of any of these provisions is punishable by a fine not greater than \$500, and imprisonment at hard labor not more than six months, or both.

Idaho. Const. 1889, Art. VI, sec. 3 ; Pol. Cd. '09, ch. 1, sec. 358. Those guilty of buying or selling or offering to buy or sell votes are disfranchised.

Pol. Cd. '09, ch. 6. The provisions of the general election laws are applicable to the primary. A candidate may contribute only for his "personal expenses", i. e. those incurred by him in traveling, the publication and

circulation of political literature, and the holding of public meetings on political questions. The total expenditure must not exceed 15% of the yearly salary of the office he seeks. Within ten days of the primary a sworn statement must be filed showing to whom and for what purpose money was expended. Violation of this provision subjects a candidate to a fine of from \$100 to \$500, imprisonment in the county jail from one to six months and disqualifies him for the office for which he was a candidate. Soliciting or receiving money, liquor or other valuables or their payment to influence votes in the primary is penalized.

Pen. Cd. '09, Title III, pt. 1, ch. XIX. Fraudulent registration, and voting or assisting or advising another to vote when he is not entitled to is a misdemeanor punished by fine and imprisonment. Voting more than once or in the name of another or interfering with electors in the exercise of the franchise is a felony. Attempting to influence an elector by force, threats, bribery or other corrupt means such as the threat to collect a debt, institute criminal proceedings, discharge from employment or withdrawal of trade; or deceiving an illiterate voter is a misdemeanor. Receiving or soliciting any consideration for one's vote is a felony and one convicted of so doing is forever disfranchised and disqualified for holding office. Saloons must be closed from 6 A. M. to 8 P. M. on an election day and no liquor is to be dispensed under penalty of a fine of from \$25 to \$100 and revocation of license.

The usual penalty for violation of the above provisions is a fine not to exceed \$1,000 or imprisonment not to exceed five years or both.

Illinois. Const. '70, Art. IV, sec. 4. Conviction of bribery disqualifies one for the General Assembly or any office of profit or trust.

Hurd's Rev. Stats. '09, ch. 46, secs. 79-318. Illegal registering is penalized. Voting illegally or falsely stating one's qualifications as an elector, aiding or abetting one not legally qualified to vote, deceiving an elector as to the contents of a ballot, preventing or attempting to prevent an elector's attending an election, or betting on the election, is punished by a fine not to exceed \$1,000 or imprisonment in the county jail not to exceed one year or both. Making a false statement as to one's ability to prepare a ballot is punished by a fine. Soliciting or receiving money, liquor or other things of value to influence voters is punished by imprisonment in the county jail for from three months to one year and disfranchisement for from five to fifteen years. For a second offense the punishment is perpetual disfranchisement and imprisonment in the county jail at least one year. One offering to vote when disfranchised shall be confined in the penitentiary for from one to ten years. The payment of a bribe by a candidate or another to influence a voter is not punishable. An employe may absent himself from his employment for the purpose of voting for a period not longer than two hours and be liable to no penalty or deduction of wages therefor. Application for absence must have been made the day before and the hours may be specified by the employer. Any employer refusing to allow his employe time to vote or deducting from his wages for such absence is guilty of a misdemeanor and liable to a fine of from \$5 to \$100. No liquor is to be given away or sold on election day nor

shall any place within one mile of an election place be open for the sale of liquor. Violation of this provision is penalized by a fine of from \$25 to \$100.

Laws of '10, p. 46, secs. 64-78. Illegal voting in the primary, or aiding an unqualified voter to vote, or preventing an elector's voting is penalized. Bribery and dispensing liquor are punished as in the general election laws. The candidate is not liable for bribery.

Indiana. Const. 1851, Art. II, sec. 6. One is disqualified for holding office for the term for which he may have been elected who has given or offered a bribe, or reward to secure the election.

Burns' Anno. Stats. '08, vol. 1, secs. 2468-2585; 6881-7111. Voting more than once, or in the wrong precinct, or when not qualified, or making a false declaration of one's ability to mark one's ballot in the election or primary is punished by a fine, imprisonment, disfranchisement and disqualification for holding office. Inducing persons to come from another state to vote or so coming and voting subjects one to a fine of from \$50 to \$1,000 and imprisonment in state's prison for from one to five years. Inducing one to mark his ballot so that it may be identified or so marking it, or deceiving an illiterate voter is a felony. Buying or furnishing money to buy votes or selling votes is punished by a fine not to exceed \$50 and disfranchisement and disqualification for any office of trust for ten years from the date of conviction. Bribery in the primary and working through hired workers is punished by fine, disfranchisement and disqualification for holding office. Bribery in elections is punished by a fine of from \$50 to \$1,000 or imprisonment in the penitentiary for from one

to five years; or both disfranchisement and disqualification for office. Bribery in the primaries is a felony punished by imprisonment for from six months to five years and disfranchisement for at least ten years. Betting in the election is punished by a fine twice the amount of the bet and in the primary by a fine of from \$5 to \$100 to which may be added a sentence to the county jail for from ten days to three months. Attempting to influence a voter by threatening to enforce payment of a debt or eviction from a house, beginning criminal prosecution, injuring business or trade, dismissing him from employment, withholding wages; or refusing an employe time to vote is punished by a fine from \$20 to \$100 and imprisonment in state's prison for from one to five years, disfranchisement and disqualification for holding office. For a period of four hours after the opening or any polls no one shall be employed in any manufacturing, mining, mechanical or mercantile establishment or on any railway in the state except in necessary work; in the latter case employes must be given some other four hours in which to vote. This provision may be enforced by mandamus proceedings and its violation is a misdemeanor punishable by a fine of from \$50 to \$100. The sale or gift of liquor on election day is penalized.

The general election laws regulating corrupt practices, apply to the primaries.

Indiana.

Under sec. 2554 a briber is ineligible to hold office. *Carroll v. Green*, 148 Ind. 362—(1896).

Sec. 2555 of code of '08. The legislature may inflict a penalty on the vote seller and not on the vote buyer and may offer a reward for the conviction of the vote seller,—*Baum v. State*, 157 Ind. 282, 61 N. E. 672—(1902).

Secs. 2566-67. To render one ineligible to hold office because of bribery, he must be convicted of bribery. But the election may be contested before conviction. *Tinkle v. Wallace*, 167 Ind. 382, 79 N. E. 355-(1906).

A conditional contract to pay depending on the result of an election is within the statute penalizing betting. *Javis v. Leonard*, 69 Ind. 213 (1880).

13 *Iowa*. Cd. '97, sec. 1123. An employe may absent himself from his employment on election day for two hours for the purpose of voting and be liable to no penalty or deduction of wages therefor. Application for absence must have been made the preceding day and the hours may be designated by the employer. Any employer refusing to comply with this provision or attempting to intimidate or control the vote of his employe is subject to a fine of from \$5 to \$100.

Cd. '97, Sup. '07, secs. 4914—4931. Illegal voting in the election or primary or advising one to vote knowing him not to be qualified is punished by fine or imprisonment in the county jail. Illegal registration or personation is a penitentiary offense. Offering or receiving a bribe or payment to influence a vote in an election or for the performance of any service on election day in the interests of any candidate is punished by a fine and imprisonment in the county jail. Hiring carriages to convey voters on election day is not forbidden. Attempting to influence electors by threats of violence, withholding custom or trade, enforcing payment of debts or bringing civil or criminal action or any other injury is punished by a fine not greater than \$500 or imprisonment in the county jail

not longer than one year. For one to vote in the primary of a party to which he does not belong is a misdemeanor.

A candidate offering to pay back a portion of his salary into the public treasury is liable for bribery.—*Carrollers v. Russel*, 53 Ia. 346—(1881).

Cd. '97, Sup. '07, Title XII, sec. 2448. Places where liquor is sold must not be open on election day.

Laws '07, chs. 50, 51, 73. Within ten days after the primary, candidates must file sworn itemized statements of their receipts and expenditures for campaign purposes. Chairmen of the various central committees must file similar statements within ten days after the general election. These statements are open to public inspection and become part of the permanent records of the office where filed. Those guilty of treating electors to cigars or refreshments about a polling place are guilty of misdemeanors punishable by fine or imprisonment. Paying and receiving money or inducements for services performed in the interests of a candidate are penalized. Offering or receiving bribes or illegally voting in the primary is punished by fine and imprisonment. Corporation contributions for campaign purposes must not be given, received, or solicited under penalty of imprisonment from six months to one year or a fine not greater than \$1,000.

Kansas. Const. 1851, Art. V, Sec. 6. Whoever gives a bribe to procure his election is disqualified for holding office for the term for which he was elected.

Gen. Stats. '09, secs. 2688-3326; secs. 4384. Voting more than once or when knowing one's self to be unqualified, personation, and deceiving a voter so that he votes contrary to his desire, are punished by fine and imprisonment. Giv-

ing any money, reward, office or employment to procure an election, is bribery and is punished by imprisonment and hard labor for not longer than five years. Any office thus procured must be vacated. It is unlawful to make any loan or give any money to influence the vote of an elector or to secure his presence at the polls or to gain his influence in any election. The penalty for violation is a fine from \$100 to \$1,000 or imprisonment in the penitentiary not longer than two years or both. It is illegal for an elector to mark his ballot or otherwise indicate how he voted. Betting on an election or holding stakes for such a bet is punished by a fine of not more than \$500. A candidate may not give any liquor or cigars on election day or pay for such distribution. It is a misdemeanor for one to have liquor in one's control within half a mile of a polling place on election day. An employer refusing to allow his employes to absent themselves from his employment for a period not to exceed two hours to vote, or anyone attempting to influence an elector by threats or intimidation or to oppose his attendance at the polls to vote is guilty of a misdemeanor. Every political organization must have a treasurer who must file an itemized sworn statement of the receipts and expenditures in the campaign under penalty of a fine not to exceed \$100 for refusing to do so. What is unlawful for a candidate to do is also unlawful for a political committee to do.

One convicted of a felony under this act is disfranchised and disqualified for holding any office and if already holding an office, must forfeit it.

Laws '09, p. 20. The provisions of the general election law are also applicable in the primary elections.

Kentucky. Const. 1891 secs. 145-150. For bribery at elections one is disfranchised, and if a candidate, is disqualified for holding office for the term for which he was elected. For bribery, a domestic corporation must forfeit its charter, and a foreign corporation, its right of doing business in the state.

Russell's Stats. '08, secs. 3405-3444 (Acts '92, p. 156; '94, p. 163; '00, p. 41). False or double registration, or attempting personation is a misdemeanor. Voting in a precinct where one does not reside, or more than once, or in the name or with the naturalization papers of another; intimidating voters or preventing their casting their votes, are penitentiary offenses. Giving, loaning or receiving money or things of value to influence electors in voting or to be used in betting on the elections is punished by a fine not to exceed \$500 or imprisonment or both and exclusion from office and the suffrage. Giving away or selling liquor on the day of a general election or primary is a misdemeanor. An employe may absent himself from his employment for the purpose of voting, for a period not to exceed four hours and be liable to no penalty or deduction of wages therefore. Application for such an absence must have been made the preceding day and the hours may be specified by the employer. Any employer or corporation refusing to comply with this provision is guilty of a misdemeanor punishable by a fine of from \$50 to \$500. Corporations are prohibited from subscribing to political campaigns or attempting to influence the votes of their employes under penalty of the repeal of their charters and a fine of from \$500 to \$5,000. An officer or agent who disburses corporation funds for campaign purposes is guilty

of a misdemeanor and punished by a fine of from \$250 to \$1,000 and imprisonment in the county jail at hard labor for from three to twelve months. Any offenses against the general election laws are also offenses if committed in the primary.

/6. Louisiana. Acts '68, p. 64. Employers attempting to control the votes of their employes are subject to fines of from \$100 to \$500.

Acts '90, p. 62. Attempting to influence electors by bribery, or receiving a bribe for one's vote, is punished by imprisonment at hard labor for from six months to three years and a fine of from \$50 to \$2,000, whether committed in the general or primary election.

Acts of '98, p. 266, secs. 41, 42. Personation or voting when not qualified, aiding another in so doing or hindering an elector in the exercise of the franchise is punished by a fine not exceeding \$1,000 or one year's imprisonment.

Acts '00, p. 203. One voting in the primary when not qualified, or more than once, or attempting to influence voters by bribery or intimidation; or any elector accepting a bribe is guilty of a misdemeanor and is punished by a fine of from \$25 to \$300 or imprisonment or both and is disqualified from voting in a primary for four years or for holding an elective or appointive office in the state.

Acts '06, p. 81, secs. 30-37. Voting twice, influencing voters by bribery or intimidation, or disposing of liquor within one mile of a polling place on an election day is punished by a fine of from \$50 to \$500, imprisonment not exceeding one year and disqualification for holding office for four years.

Acts '08, No. 96. Registering or voting on false naturalization papers is punished by a fine of not less than \$500 and imprisonment for not less than six months.

Maine. Rev. Stats. '03, secs. 95-100. Voting when knowing one's self not qualified is punished by imprisonment. Attempting to influence a vote by bribery or other corrupt means is punishable by fine and imprisonment and ineligibility for any office for two years. Betting on elections is punishable by forfeiture of the wager.

Laws '09, p., sec. 29. Making a false statement of one's ability to prepare a ballot or showing how a ballot was marked is punished by a fine.

Maryland. Cd. '04, Art. XXVII, sec. 29. Giving or promising any reward to influence voters, or keeping any place where intoxicating liquors or victuals are gratuitously dispensed upon an election day is punished by imprisonment and fine.

Art. XXXIII, secs. 87-102. Registering in the name of another or where one is not a qualified elector or aiding another to so illegally register, or, preventing by force, intimidation or bribery the registering or voting of one who has a legal right to register or vote is punished by imprisonment in the county jail or the penitentiary for from six months to five years. One convicted of bribery or attempting to vote when disfranchised is punished by imprisonment in the penitentiary for from one to five years. False declarations of one's ability to mark one's ballot or marking one's ballot so that it may be discovered how he has voted, is penalized. Every employe who is qualified to vote is entitled to absent himself from his employment not longer than

four hours to vote and is liable to no penalty therefore. Disposing of liquors on election day or making any bet upon the elections is punished by a fine.

Laws '08, p. 125, secs. 163-172. Every political committee must operate through a political treasurer who must submit a sworn, itemized statement of all money passing through his hands and state to whom it was paid and for what purpose. Failure to do so subjects him to a fine of from \$300 to \$1,000 or to a two years imprisonment or both. None but a candidate may contribute to a campaign fund for the success or defeat of a candidate, party or proposition. No candidate may within six months of a campaign, make any such payments except an amount to the political treasurer determined by the number of voters voting at the last election for the office he seeks, and for such personal expenses as postage, printing, telegraphing, travel, etc. The political treasurer may expend money only for certain designated purposes such as conducting public meetings, printing and circulating campaign literature, expenses of committee headquarters, traveling expenses, carriages for voters on election day, etc. Payments must be reasonable for the services performed and be authorized by the political secretary or chairman. All campaign material issued in periodicals shall be designated "advertising." Within twenty days after an election or primary, detailed, sworn statements must be filed, stating what the assets and liabilities of the political committee have been during the campaign. Failure to record such a statement is punishable as a misdemeanor by a fine of from \$300 to \$1,000. Such statements are to be on file and open to public inspection for

three years. It is a corrupt practice to give, offer, or receive money or other inducements to influence voters; to make campaign contributions, except to a political agent or treasurer, or to make any payments in a name other than one's own; for employers to attempt to influence the political actions of their employes by notices posted in the establishment or printed on pay envelopes threatening a lessening of wages or work in the event of any election contingency; or to give entertainment to a voter to influence him. Violation of these provisions is penalized by a fine of from \$300 to \$1,000, imprisonment and ineligibility for public office for four years. The officers or agents of a corporation who make corporation contributions to any political campaign fund are personally liable to a fine not to exceed \$5,000 and imprisonment not exceeding three years.

Laws '10, p. 126. What are offenses against the general election laws are also offenses if committed in the primary and are punishable in the same way. Penalties are specified for the sale of liquor and for betting on the primary.

Candidates for the U. S. Senate must file within thirty days of the primary, sworn, itemized statements of their expenses. No certificates of election are to be issued until campaign expense accounts have been filed and verified. Failure to file statements is punished by a fine of from \$300 to \$2,000 and imprisonment not longer than two years or both.

Massachusetts. Const. Part I, ch. VI, Art. II. No person who has been convicted of bribery or corruption in obtaining an election or appointment shall be permitted

to hold a seat in the legislature or any office of trust or importance under the commonwealth.

Rev. Laws, Sup. '08, ch. 11, pp. 169-194. Attempting to register or to vote in a primary or election when not entitled to do so, or in the name of another; or making false statements of one's ability to mark a ballot, marking a ballot that it may be identified, aiding another to vote illegally or commit any election frauds; or hindering an elector entitled to vote from voting, is punishable by imprisonment not longer than one year. Influencing electors by bribery or the promise of public appointments, is penalized. Except in such business as may be lawfully conducted on Sunday, no employes who have made application for leave of absence to vote shall be employed during the first two hours after the opening of the polls. No person may make political contributions except for certain "personal expenses" or those made to a political committee and all payments must be made in one's own name. Payments made by a candidate to a political committee must be unsolicited. No corporation with power to condemn land shall make any political contribution under penalty of a fine of not more than \$10,000. A fine not to exceed \$5,000 or imprisonment not to exceed one year is imposed for violation by an officer. No political committee or person may pay any expenses for the naturalization of an alien. Political committees must work through political treasurers who must keep detailed accounts of their receipts and expenditures and show vouchers for all expenditures over \$5. Every person disbursing more than \$20 must file detailed, sworn statements of his campaign receipts and expenditures. Candidates

must file detailed accounts of all except "personal expenditures". Statements of campaign expenses must be kept fifteen months and be open to public inspection. The usual penalties for the commission of corrupt practices is imprisonment not to exceed one year or a fine not to exceed \$1,000.

Acts '10, p. 28. It is unlawful to publish in a newspaper or periodical any paid campaign matter unless it is designated as "advertising" and signed by those responsible therefor. Editorial influence must not be bought or sold unless the publication itself is purchased. It is illegal to write, print or display any anonymous political material reflecting upon any candidate.

Michigan. Comp. Laws '07, secs. 3525-3653; secs. 11438-11457. Personation, voting twice or in a place where one is not qualified, or aiding another to do so is a misdemeanor. Illegal voting in the primary is punished by a fine not exceeding \$1,000 or imprisonment, or both. Those are guilty of bribery who give, promise or receive any money, employment or other inducement to influence any vote. One guilty of bribery or influencing an elector by corrupt means is punishable by fine and imprisonment and if a candidate may be ousted from office. Betting on the results of an election is punishable by a fine of at least twice the amount of the bet and from \$5 to \$500. Keeping an establishment where such bets are registered is punished by imprisonment or a fine to \$1,000. Liquor may not be dispensed on election day. No candidate may provide any refreshments for electors on election day but may pay reasonable expenses of advertising, holding public meetings and getting the attendance of voters at the

polls, but not for carriages. The use of threats or undue influence by an employer in regard to his employees or by a priest or pastor in regard to his parishoners is penalized.

Acts '09, No. 281. Use of money, liquors or other things of value to influence votes or the solicitation of contributions from candidates except by political committees is forbidden. The posting or distribution of bills and pictures is forbidden. The use of newspapers by candidates as advertising mediums is regulated.

Minnesota. Rev. Laws '05, ch. 6, secs. 283; 348-379. Causing one's name to be registered in more than one district or where one is not a qualified elector; voting more than once or where not qualified, or aiding or advising another so to do; procuring votes by offers of money or employment or advancing money to be used in bribery; or demanding money in consideration for one's vote, is a felony. Influencing electors by threats or intimidation is a gross misdemeanor. An employe may absent himself from his employment for the purpose of voting, during the forenoon and be liable to no penalty therefor. Interference by an employer in an employe's right of suffrage is a misdemeanor. Candidates may make contributions for but certain purposes, including personal travelling expenses, conducting campaign headquarters, public meetings, printing, stationery, postage, etc. The total amount of a candidate's contribution is regulated by a scale based upon the number of votes cast for the office he seeks at the last election. It is a misdemeanor for a candidate to give any entertainment to influence electors within ten days of a primary or sixty days of an election. All candidates for nomination or election, including those for the office of U. S. Senator,

and every political treasurer or other person authorized to receive and disburse campaign funds must file itemized, sworn statements of their campaign expenses within thirty days. Negligence in compliance with this provision is a misdemeanor for the political treasurer and a gross misdemeanor if committed by the candidate. Writing, printing or circulating anonymous and defamatory campaign material is a gross misdemeanor.

✓ *Mississippi.* Cd. '06, sec. 905; secs. 1120-1770; secs. 3719-3727; secs. 4121-4138. Illegal registration is a penitentiary offense. Voting when not qualified or in the name of another or marking a ballot so that it may be identified, is punished by a fine and imprisonment in the county jail. Candidates using liquor to influence the votes of electors are subject to a fine and imprisonment and disqualification for office; the disposal of liquor on the part of others on election day is penalized. Buying or selling votes or paying workers to aid or oppose any candidate or measure in a campaign is punished by a fine of from \$50 to \$500 or imprisonment for six months or both. For bribery one is disfranchised. The intimidation of electors to influence their votes is penalized by a penitentiary sentence or by fine or imprisonment. A corporation interfering with the political rights of its employes is liable to civil suit. No candidate may legally promise any appointments or employment for the purpose of influencing electors nor may he promise contributions to charitable, religious or educational institutions outside of his county nor may any one solicit such contributions from candidates. Common carriers, telegraph and telephone companies may not give free service or service at reduced

rates as campaign contributions and candidates must make and file statements that they have received no such aid. Campaign literature must bear on its face the names and addresses of the authors and printers.

Missouri. Rev. Stats. '09, ch. 36, secs. 4401—4442; 5831—5885; 6038—6063: Importing voters from outside the state, or attempting to vote when not entitled to in the general election or primary is a misdemeanor; personation in registration or voting, interfering with a voter by force, menace or bribery, or accepting a bribe to influence one's vote is a penitentiary offense. Bribery includes giving, offering or receiving money, employment, or any consideration for one's vote or to influence the vote of another, and it is punishable by a fine not to exceed \$500 and imprisonment in the penitentiary for from two to five years. Offering to take less salary or to repay part of the emoluments of an office is a misdemeanor and selling an office or deputation of public trust is a penitentiary offense. Betting on elections is punished by a fine not to exceed \$50. Employees entitled to vote must be allowed four hours therefor to be specified by the employer. Refusal of this privilege is a misdemeanor punished by a fine of not more than \$500. Employers or officers of a corporation who attempt to control the political opinions or actions of their employees by threats, intimidation, or bribery, or who use money for campaign purposes are liable to penitentiary sentences, or the loss of their corporation charter or right of doing business. Within ten days of a primary, candidates may not provide entertainment for electors to influence their votes and no person shall demand from a candidate any campaign contribution. Candidates may make

voluntary contributions not exceeding a prescribed scale determined by the number of votes cast at the last election for the offices they seek. Within thirty days after an election candidates must file sworn, itemized statements of their expenses and may not enter into office or receive emoluments until such statements have been filed. Negligence in filing is further punished by a fine. Treasurers of political committees must also file statements of expense. All statements must be on file and open to public inspection for four years. What constitute violations of the general election law are also violations if committed in the primary.

The corrupt practice act, except part of sec. 6055 is constitutional. 144 Mo. 534.

The law penalizing bribery and illegal registering and voting is constitutional. *State vs Keating*, 202 Mo. 197.

Laws '09, ch. 63. Keeping open a dram shop or disposing of liquors on an election day is punishable by a fine of from \$50 to \$200 and forfeiture of the license which may not be renewed for two years.

Montana. Cd. '07, secs. 534, 8125-8175. Fraudulent registration is punished by a fine not exceeding \$1,000, or imprisonment in the county jail or state's prison not longer than one year, or both. Fraudulent voting is a felony, and aiding or advising another to fraudulently vote or register, or voting in the primary with a party to which one does not belong, is a misdemeanor. Betting on the election or acting as stakeholder is a misdemeanor punished by a fine of from \$50 to \$1,000. Disposing of liquor on election day is penalized by a fine of from \$50 to \$500. Intimidating electors to prevent their attend-

ance upon public political meetings, or by bribery, threats or corrupt practices, aweing or restraining electors in the exercise of the right of suffrage, is a misdemeanor. Bribery is punished by a fine not exceeding \$1,000, a penitentiary sentence of not longer than one year and disqualification for holding office; it is so defined as to include offering or receiving any money, employment or valuable consideration to influence electors. Giving electors, on election day, refreshments, money, tickets, etc., or providing carriages, except for the infirm, is a misdemeanor. One is guilty of undue influence and punished by a fine of from \$200 to \$2,000, and a penitentiary sentence of two years who fraudulently intimidates or otherwise interferes with the exercise of the franchise by any elector. It is a misdemeanor for an employer to print political matter on pay envelopes or post notices in his establishment, prior to an election, containing any threats or information to influence the political action of his employes. A candidate's contributions are limited to certain "personal expenses" and voluntary contributions to his party, but they may not exceed \$1,000 in the case of a candidate for U. S. Senate or \$50 for a candidate for the legislature. Candidates may not promise office or appointments to secure their nomination or election. Every political party must operate through a political treasurer, who must take charge of all receipts and disbursements, and file accounts thereof at the close of the campaign, and every person receiving or disbursing money for campaign purposes must make a similar statement. These are to be open to public inspection for fifteen months.

3 *Nebraska.* Comp. Stats. '09, ch. 26, Arts. I, III. Fraudulently registering or voting in the primaries or general election, offering money or inducements to electors to secure their votes or influence or for signing nomination papers, is a misdemeanor. Betting, and the sale or giving away of liquors on election day, is penalized. No employers may make any attempt to control the political actions of their employes. Employes must be allowed an absence, not to exceed two hours, to attend the polls to vote. Candidates for office may not pay for entertainment for electors, or for drink, cigars or refreshments, nor may they contribute to aid or oppose any measure submitted to the people. Personal expenses must not exceed a fixed scale based on the number of electors voting at the last election for the office in question. The use of corporation funds for political or campaign purposes is prohibited. Expense accounts must be filed by candidates and political treasurers and be open to public inspection for four years. Claims for services not properly presented to political committees, may be disallowed. Fifteen days before the primary, the political treasurer must file a statement of campaign expenses, and thereafter make daily reports of all contributions over \$25. Failure to comply with this provision, or defacing his accounts, subjects the political treasurer to imprisonment for from two to six years. Any candidate giving money to pay for the naturalization of aliens is subject to a fine of from \$100 to \$500 and imprisonment.

7 *Nevada.* Cutting's Comp. Laws '00, sec. 1577; sec. 1606; secs. 1668-1689. Voting or offering to vote when not qualified or voting in the name of another is a felony.

Aiding another to register illegally or to vote illegally in the primary, or betting on the results of an election, or furnishing intoxicants on an election day is a misdemeanor. Interfering with an elector in the exercise of the suffrage by force, threats, bribery or deceit is a felony, punished by a fine of not more than \$1,000 or a sentence to the state's prison for not more than five years, or both. A candidate who promises any office or employment to secure votes is guilty of a felony punished by imprisonment in the penitentiary for not more than five years or a fine not greater than \$5,000 or both. One may not legally seek to promote a campaign by giving entertainment to electors, paying for their conveyance to and from the polls or by other payments except for holding public political meetings or for the publication of campaign material.

Laws '09, p. 291. What constitutes an offense under the general election laws is also an offense if committed in the primary.

New Hampshire. Pub. Stats. '01, ch. 39, secs. 6-15. Voting more than once or when not qualified is punished by a fine not to exceed \$300 or three months imprisonment. The use of liquor to influence voters is penalized by a fine of not over \$20. Hiring voters, promising them rewards, furnishing them entertainment or attempting to disqualify them is penalized by a fine not to exceed \$500 or imprisonment not longer than three months. Signing or publishing letters or documents to influence votes, representing them to have been written by others, subjects one to a fine of not over \$1,000.

Laws '09, p. 520. The general election laws relative to corrupt practices apply to the primaries.

New Jersey. Gen. Stats. '95, Vol. II, p. 1295, secs. 12, 127, 247, 299, 305, 379. Illegal registering and voting are punished by a fine and imprisonment. Offering or receiving money or employment for votes is punished by a fine not exceeding \$2,000 or imprisonment. Betting on elections is illegal. An employer interfering with the rights of suffrage of his employe may be fined to \$2,000 or imprisoned for five years or both. One guilty of any of the above mentioned offenses may be disfranchised.

Laws '96, ch. 173. Soliciting contributions from candidates except for their political organizations is a misdemeanor.

Laws '98, ch. 139, secs. 34, 188-231. Illegal registration, voting, or personation is punished by a fine of not more than \$1,000 or imprisonment. The use of money, entertainment or offers of employment to secure votes or in consideration for votes in any election, is a misdemeanor punished by fine and imprisonment. Employers or officers of corporations attempting to control the exercise of the franchise on the part of their employes, are guilty of misdemeanors punished by fine and imprisonment.

Laws '05, ch. 118. Illegal voting, or personation or aiding another in so doing is a misdemeanor punished by fine or imprisonment in state's prison or both.

Laws '06, ch. 206. Giving or receiving money or employment or any valuable consideration for one's vote is penalized. The use of threats or improper influences by an employer to affect the vote of his employes is punished as a misdemeanor and by disfranchisement for five years.

Laws '06, ch. 208. Giving money or entertainment or furnishing club rooms or supplying any valuable thing to

influence voters is a misdemeanor and one guilty of so doing is also disfranchised. Advertisements may be inserted in periodicals if accompanied by the words, "this advertisement has been paid for by—", inserting the name of the person.

Laws '07, ch. 34, p. 67. Insurance companies may not make political contributions.

Laws '09, ch. 123. Publication of anonymous material calculated to injure any candidate is a misdemeanor.

New Mexico. Comp. Laws '97, p. 379, sec. 1272. Disposing of liquor on election day is punished by fine or imprisonment. Personation and intimidation are penalized.

Laws '09, ch. 105. Registering or voting when not qualified or in the name of another or where one does not reside, deceiving an elector in the preparation of his ballot or influencing an elector by bribery or intimidation is punished by a fine not to exceed \$1,000 or by imprisonment.

New York. Con. Laws '09; ch. XVII, secs. 175, 365, 543–561; ch. LXXXVIII, secs. 751–782. One guilty of illegal registration, voting through personation, using false naturalization certificates or aiding another in so doing is punished by a penitentiary sentence of not more than five years. One voting illegally in the primary, making false declaration of party affiliation, interfering with electors by bribery or intimidation; or receiving a bribe for his vote is guilty of a misdemeanor. Attempting to control the votes of electors by force or intimidation is penalized. Employers giving notice that pay will be diminished or work stop in the event of any election

contingency or placing political mottoes on pay envelopes, etc., are guilty of misdemeanors. If done by corporations, they forfeit their charters. Employes may absent themselves from their employment for the purpose of voting for a period of two hours and be liable to no penalty therefor; those refusing employes this privilege are guilty of misdemeanors. No campaign funds may be solicited from candidates and no judicial candidates may make contributions. The total campaign expenditures that a candidate may make must not exceed fixed sums ranging from \$10,000 for governor to \$1,000 for assemblymen; the amount that may be spent by minor officers being dependent upon the vote cast. A first violation of this provision is a misdemeanor, and a second a felony. Assessments upon state officers and employes for campaign expenses are forbidden. No funds are to be expended for drink, tobacco or entertainment for electors, nor for other purposes, saving the expense of public meetings, advertising, music, fireworks and banners, newspaper circulation and reading matter therein, personal expenses of candidates, a limited number of carriages on election day, and similar expenses.

Consolidated Laws of 1909, ch. 17, sec. 540-61, concerning the filing and publishing of expense statements, is satisfied by a statement of every disbursement from the fund of the committee with the name of the person or committee to whom it was paid, and the date and purpose thereof. *In re McTennan*, 122 N.Y.S. 409—(1910).

Laws of '10, chs. 429, 438. Candidates, political treasurers or other persons receiving or expending campaign funds must file statements with the secretary of state within twenty days after the election. These must be open to public inspection for a period of fifteen months.

North Carolina. Laws of '01, ch. 89, secs. 48-55; 70, 71; ch. 550, sec. 12. Personation, illegal registration and voting and inducing others to illegally register or vote are felonies. Bribing voters, betting on elections, and disposing of liquor on election day, intimidating electors and discharging employes because of their votes are misdemeanors.

42 *North Dakota.* Rev. Stats. '05, secs. 8585-8627. Voting or registering more than once, or personation is a misdemeanor punished by fine or imprisonment. Attempting to influence electors by threats or intimidation, or offers of employment, is bribery, punished by fines not exceeding \$1,000 or imprisonment in the county jail. Practicing any fraud upon an elector that his vote may not count as he intended, or betting on any election contingency is a misdemeanor. It is illegal to pay for the attendance of voters at the polls or to compensate anyone for so doing. Legal expenses are those made for public political meetings and for printing and circulating campaign material.

Laws '07, ch. 107. The general election laws relating to corrupt practices are made applicable to the primary.

33 *Ohio.* Bates' Anno. Stats. '05, secs. 2926f, w 3-4; 2966-48-50a; 6939; 6948; 7039-7054. Personation, illegal registering or voting or aiding others in so doing or deceiving electors in preparing their ballots is a penitentiary offense. Fraudulently voting in the primaries, or hindering qualified voters in the elections is punishable by fine or imprisonment. One who receives a bribe or bets or disposes of liquor in any election is punished by fine and imprisonment. Offering bribes in the

primaries or elections is punished by fine and imprisonment. One who receives a bribe or bet or disposes of liquor in any election is punished by fine and imprisonment. One attempting to influence voters by intimidation, or, as an employer, improperly attempts to influence the vote of an employe, is liable to a fine not to exceed \$2,000 or a penitentiary sentence of not more than three years or both. For such offenses in the primary less penalties are prescribed. Employes may absent themselves from their employment on election day for a period of two hours for the purpose of voting.

Laws of '08, p. 214. Illegal voting and personation in the primaries are penitentiary offenses. Voting in the primary of a party to which one does not belong is punished by a fine of not more than \$500 or imprisonment not more than six months, or both. Soliciting or receiving money or liquor for use in procuring votes is punished by a fine or imprisonment in the penitentiary, or both. The laws to preserve the purity of elections apply to the primaries.

Oklahoma. Snyder's Comp. Laws '09, secs. 2078-3290. (Laws '98, secs. 1904-1936.) Personation, registering or voting when not qualified or aiding another to register or vote when convicted of bribery or a felony, is a misdemeanor. Attempting to influence voters by offering money or employment, or using force or intimidation is punished by a fine not exceeding \$1,000. Making a bet on any election contingency, furnishing money to procure the attendance of voters or for workers at the polls or for any purpose except the conveyance of sick or infirm voters, the expense of holding public meetings, printing, etc., is penalized.

(Laws '03, p. 156.) Selling or buying votes is punished by a fine of from \$100 to \$1,000, imprisonment and disfranchisement and disqualification for holding office for from ten to twenty years.

Snyder's Comp. Laws '09, secs. 3205-3305, (Laws '08, p. 316). Voting when not qualified or with a false certificate of registration or aiding another to do so is a felony, punished by a penitentiary sentence not longer than three years. Offering or accepting a bribe, or any advantage, or money to be bet upon an election to influence any elector, is a felony punishable by a fine of from \$100 to \$1,000, imprisonment in state's prison for from one to three years and disfranchisement and disqualification for holding office. Giving or receiving any reward to induce one to withdraw as a candidate or nominee is a penitentiary offense. Disposing of liquor on election day is a misdemeanor punished by fine and imprisonment. Candidates before a primary election and party nominees must file the names and addresses of those through whom they expect to expend money in defraying the expenses of their campaign and unless such a list is filed, a candidate's name shall not be printed upon the official ballot. Within ten days after a primary, candidates and campaign committees must file sworn, itemized statements of their campaign expenses and no certificate of election shall be issued until such statement has been filed. Failure to file is further punished by a fine. Statements must place each item of printing and newspaper advertisement by itself and be open to public inspection. The maximum amounts which candidates may expend are fixed by a scale varying from \$3,000 for a candidate for Governor or U. S. Senator to \$50 for candidates for coun-

ty or town offices; those exceeding this limit are subject to a fine and imprisonment.

Laws '09 p. 239. What is an offense under the general election laws is an offense if committed in the primary.

Laws '10, p. 231. Illegal voting or registering or aiding others to do so is a felony. Disposing of liquor on election day is penalized. Furnishing money or rewards to influence electors or to secure the withdrawal of a candidate, receiving any such reward, or betting on an election is a felony, punishable by a fine not to exceed \$1,000, imprisonment in state's prison, disfranchisement and disqualification for holding office. Employers must allow their employes two hours and such additional time as is necessary in which to vote on election day. Employes shall be notified what these hours are and failure on the part of employers to do so is a misdemeanor punished by a fine of from \$50 to \$500 for each elector they failed to notify. Any foreman or superintendent failing to give such notice is liable to imprisonment. Corporations may not make any campaign contributions and only banking institutions may make loans. A corporation making a bribe or attempting through intimidation or otherwise to influence the votes of their employes is subject to a fine of from \$500 to \$5,000 and the person acting for such a corporation is liable to imprisonment and a fine.

Oregon. Const. '59, Art. II, sec. 7. Any person is disqualified for holding office for the term for which elected who has made a threat or given or offered a bribe or reward to procure the election.

Bellinger & Cotton's Anno. Cd. '01 secs. 1900-1910; 1975. Voting or offering to vote when not qualified is punished

by a fine not exceeding \$500 or imprisonment in the county jail not longer than a year. Importing foreign voters or inducing voters to remain away from the polls is a felony punished by a fine of not more than \$1,000 or imprisonment in the penitentiary not longer than three years. Attempting by force or intimidation to prevent electors voting is punished by imprisonment. Any employer attempting to intimidate his employes or control their votes in any way is guilty of a misdemeanor and subject to a fine not to exceed \$1,000. A corporation guilty of such an offense forfeits its charter. Offering or receiving a bribe or any advantage to affect the vote of an elector is punishable by a penitentiary sentence. The disposal of liquor on election day is forbidden.

Laws '09, Ch. 3. Candidates' campaign expenses must not exceed 15% of the salary of the office they seek and but 10% may go for purposes other than for the official campaign bulletin. A candidate is not restricted to an amount under \$100. Provision is made for the publication by the state of an election pamphlet in which candidates may set forth their qualifications for the offices they seek and those opposing their nomination may state the grounds of their opposition. Space in the pamphlet is sold at a price per page varying from \$100 for a congressman, state officer, etc. to \$10 for legislators. Candidates are limited to four pages. The secretary of state publishes such statements in the pamphlet and mails them to every qualified voter in the state. Candidates must file sworn, itemized expense accounts within fifteen days and are subject to fines of \$25 for each day such accounts are over due. No certificate of election may be issued until such a statement

is filed. Accurate expense accounts must be kept by candidates and political parties, with vouchers for amounts over \$5. These accounts must be open to the inspection of opposing candidates or parties. The officer with whom the statements are filed must publish them with his annual report. It is a corrupt practice to offer appointments in return for aid in election. Offering any reward or inducement for one's becoming or refraining from becoming a candidate is penalized. The solicitation from candidates of support for religious institutions, entertainments, etc. is prohibited. It is illegal to use force or intimidation to influence electors, to bet on elections, or to pay for any loss due to the attendance at the polls, or for transportation of voters, for badges to be worn on election day, or for services to be performed on election day except for challengers. A candidate may not treat electors with meat, drink, clothing or tobacco. Personation is a penitentiary offence. No money is to be paid periodicals except for advertising which must be designated as such and accompanied by the name of the person inserting it. Everything written or published relating to a candidate must bear on its face the name and address of the author and publisher. Certain items only are designated as legitimate and these include public meetings, printing, office and travelling expenses, telegraphing, etc. Corporations having the right to condemn land may make no political contributions. The penalty for violation of this act is imprisonment in the county jail not longer than one year or a fine not exceeding \$5,000 or both.

Pennsylvania. Const. '74, Art. VII, secs. 8, 9. For bribery one is forever disfranchised and disqualified for holding office.

Purdon's Digest '03, Vol. I, secs. 156-187. Voting when not qualified or assisting others to do so is penalized by a fine not exceeding \$500 or imprisonment not exceeding five years. Securing or voting on fraudulent naturalization papers is punishable by a fine not exceeding \$1,000 and imprisonment in the penitentiary. Furnishing electors at the polls with false ballots to deceive them in voting in the general election or primary is a misdemeanor. It is a misdemeanor to furnish liquor on an election day while the polls are open. Candidates may make payments in the elections only for printing or traveling expenses, the dissemination of information, political meetings, demonstrations and conventions. Political assessments must not be asked of office holders or public employes.

Purdon's Digest, '03, Vol. II, secs. 94-105; sec. 212. One giving or receiving any consideration for his vote forfeits his right to vote at any election. A candidate guilty of bribery or wilful violation of the election laws is forever disqualified for holding office. Any one convicted of violation of the election laws in addition to other penalties is disfranchised for four years. Betting or offering to bet is punished by a fine three times the amount of the bet. A voter who shows his ballot or makes a false statement of his ability to prepare a ballot or a helper who attempts to influence a voter is guilty of a misdemeanor.

Laws '06, No. 10, p. 43. Voting or attempting to vote at a primary when not qualified is a misdemeanor, punishable by a fine not exceeding \$1,000 or imprisonment or both.

No. 17, p. 78. Political committees must receive and disburse all campaign contributions through political

treasurers. No one but a candidate may make a campaign contribution except through a treasurer and no corporation may make any contributions whatever. Treasurers and candidates may make payments for certain purposes only, including traveling expenses, advertising, dissemination of information, rent of offices, holding public meetings, conveyance for voters, etc. Candidates for nomination must file sworn, itemized expense accounts within fifteen days of the primaries and political committees and candidates for election must file statements within thirty days of an election if their receipts or expenditures exceeded \$50. Vouchers must be shown for all sums exceeding \$10. Such statements must be preserved for two years and be open to public inspection. Incurring illegal election expenses is a misdemeanor punished by a fine not to exceed \$1,000 or imprisonment not to exceed two years or both.

Act of March 5, 1906, known as the corrupt practices act, is constitutional. 39 Pa. Super. Ct. 292 (1909).

Philippine Islands. Acts 1st Phil. Ass. No. 1948, '09. Liquors must not be dispensed within thirty meters of a polling place on a registration day, nor within 150 meters on an election day.

Ann. Rept. War Dept. '07, Vol. X, Act No. 4582. Receiving or offering money to influence votes in an election is penalized.

Porto Rico. Pen. Cd. '02, p. 507, secs. 162-198. Registering when not qualified or under a false name or with the tax certificate of another is punished by a fine of not over \$500 or imprisonment not more than one year, or both. Voting when one is not entitled to vote is a mis-

demeanor. A candidate who offers money or employment or a consideration for votes is subject to a fine of not over \$3,000, disfranchisement and disqualification for office. Bribery by one not a candidate is punished by a lesser fine or a penitentiary sentence not exceeding five years, disfranchisement and disqualification for office. Liquors must not be dispensed on election day. One deceiving an elector so that he votes for a candidate he did not intend to vote for is penalized. Intimidating an elector by threats is penalized. Neglecting to file statements of expense accounts is punished by a fine not to exceed \$1,000 or imprisonment in the penitentiary not over five years.

Rhode Island. Const. Art. II, sec. 4; Art. IX, sec. 2. Conviction of bribery disqualifies one for holding office, and disfranchises one till expressly restored by the general assembly.

Gen. Laws '09, Title II, p. 152. Illegal voting, personation, intimidation and bribery are punished by fines of from \$500 to \$1,000, imprisonment, disfranchisement, and disqualification for office.

South Carolina. Const. '95, Art. II, sec. 6. Bribery is punished by disfranchisement.

Cd. '02, Vol. II, p. 324, secs. 271-286. Illegal voting and attempting to influence the votes of others by bribery, intimidation and injury, are punished by fines as high as \$1,000, and imprisonment not longer than twelve months. Betting on the elections is penalized.

Acts '03, No. 73, p. 112. Registering illegally, or aiding others to do so in the primary is penalized.

Laws '04, No. 231, p. 417. Treating within one mile of a voting precinct on election day is punishable by fine or imprisonment at hard labor.

Laws '05, No. 466, p. 940. Giving or receiving money or entertainment for one's vote or influence in any election is punished by fines as high as \$500 for the first offense, and \$5,000 for the second, or by imprisonment not longer than twelve months.

No. 473, p. 949. Candidates must file sworn, itemized statements of their campaign expenses in the primary and general election and state that they have contributed no money or liquor to secure their nomination or election. Failure to do so vitiates an election and is punishable by fine and imprisonment at hard labor.

Laws '09, p. 67. Betting on elections is a misdemeanor.

South Dakota. Pol. Cd. '03, ch. XIX, secs. 1918-1924; 2034-2046. Illegal registration and personation are penitentiary offenses. Making false statements of one's ability to prepare his ballot, showing one's ballot or allowing false statements of one's ability or qualifications as an elector to go uncontradicted is penalized.

Employes may absent themselves from their employment for not longer than two hours in order to vote and be liable to no penalty therefor. Application for such leave must have been made the prior day and the hours may be specified by the employer. Candidates may hire speakers for campaign purposes and pay them a reasonable compensation.

Pen. Cd. ch. 503, secs. 56-100. Registering or voting more than once or when not qualified, personation, or obstructing or practicing any fraud on an elector is a misdemeanor. Attempting to interfere with the exercise of the franchise by intimidation or injury or by the promise of

money, employment or any consideration, is punished by fine and imprisonment. Those guilty of betting or bribery are forever disqualified and prevented from holding office. One convicted of bribery or a felony who offers to vote before being restored to civil rights is guilty of a misdemeanor. Betting or disposing of liquor on election day is a misdemeanor.

Laws '07, ch. 142. Corporations may make no campaign contributions.

Ch. 146. Political committees must operate through political treasurers and no person except a candidate may make any campaign contributions except through such a treasurer. A candidate may make expenditures only for stationery, postage, advertising, disseminating of information, conducting public meetings, maintaining campaign headquarters and similar purposes. Within thirty days after an election every political treasurer and candidate must file sworn, itemized statements of expenses, giving in detail the sources of the contributions and the purpose of the expenditures. Negligence in compliance is punished by a fine of not more than \$1,000 and imprisonment for not more than six months.

The primary election law of 1907 as regards the regulation of voting at primaries is constitutional. *Morrow v. Wipf*, 22 S. D. 146.—(1908).

Laws '09, ch. 297. Illegal voting and the sale of liquors in the primary are forbidden. The general election laws relating to corrupt practices are applicable in the primary.

Tennessee. Const. Art. X, sec. 3. Candidates guilty of bribery in elections are disqualified for six years for holding the office for which they were candidates.

Shannon's Anno. Cd. '96, secs. 1069, 1170, 1256, 1376, 6815, 6841-6861. Personation, voting when not qualified, showing one's ballot, betting, intimidating or deceiving an elector is a misdemeanor. Importing voters from out the state is a felony. Bribery in elections is punished as a misdemeanor and disfranchises an elector. A candidate who treats electors with liquors is punished by a fine of \$100. No liquors may be dispensed on election day.

Shannon's Sup. '03, pp. 233, 835; (Laws '97, ch. 18, secs. 1, 2; Laws '99, ch. 14, secs. 1-8.) What is an offense against the general election law is a felony if committed in the primary. Offering or receiving money or a consideration for votes is a misdemeanor. It is a misdemeanor for candidates to bet on an election. Attempts to influence the vote of an elector by intimidation are penalized. Corporations guilty of such offenses forfeit their charters. Employers may not display notices or place anything on pay envelopes calculated to influence the political action of their employes. Corporations may not contribute to political campaign funds and an officer of a corporation violating this provision is subject to a fine of from \$500 to \$2,000 or imprisonment. The usual penalties for violation of the corrupt practice laws are fines not exceeding \$1,000 or imprisonment not exceeding five years, or both, disfranchisement and disqualification for office.

Laws '07, ch. 402. Furnishing money to secure votes or workers in the election is punished by a fine not exceeding \$1,000, imprisonment for not more than twelve months, disfranchisement, and disqualification for office. Receiving any consideration for one's vote is punished by a fine not exceeding \$100 or imprisonment not exceeding six months or both.

Laws '09, p. 295. Registering or voting in the primary when not qualified or voting in the primary of a party to which one does not belong is punished by fine and imprisonment. Attempting to influence voters by bribery or intimidation is punished by a fine not over \$250, imprisonment and disfranchisement.

Texas. Const. '76, Art. XVI, sec. 5. Bribery to secure election disqualifies one for office.

Rev. Stats. '95, Title VI, Arts. 151-188; Title XII, Art. 395. Personation and illegal voting or registering are penitentiary offenses; aiding or advising others to vote illegally is a misdemeanor. Offering or receiving a bribe, intimidating electors or selling liquor within three miles of the polls on election day is punished by a fine not exceeding \$500. Illegal voting, bribery, or procuring illegal votes in the primary is punished by a fine not exceeding \$500. Betting on the election is punished by a fine not exceeding \$1,000.

Laws '05, ch. 11, secs. 27, 85-193. Illegal voting in the election or primary, or attempting to influence electors by gifts of money, offers of employment, or payment of poll taxes is a misdemeanor, and if done by a candidate, forfeits his right to the office. Liquors must not be dispensed on an election or primary day. It is a misdemeanor for employers to refuse to allow employes to attend the polls to vote or to subject them to any penalty for voting. Subscriptions must not be solicited from state employes. Procuring a naturalization certificate to enable one to vote when not entitled to is a penitentiary offense. If political material is placed as advertising in a periodical, it shall be so labeled and may not be paid for

in excess of the regular rate. Violation of this provision is punishable by a fine of from \$500 to \$1,000, and the forfeiture of its charter, if a corporation. Carriages must not be supplied to voters who are not physically disabled. Political parties and candidates must file sworn itemized statements of expense accounts within ten days of the elections.

It is constitutional to provide that every voter pay a poll tax, and it is constitutional to provide that no one lend a voter money to pay the poll tax. *Solan v. State*, 54 Tex. Cr. Rep. 261 (1908).

Laws of 1905, p. 559, ch. 11, is constitutional. *Whaley v. Thompson*, 41 Tex. Civ. App. 405 (1906).

Laws '07, pp. 169, 312. Corporations may not make campaign contributions under penalty of a fine of from \$5,000 to \$10,000. Violation on the part of an officer subjects him to a fine of from \$500 to \$1,000 or imprisonment in the penitentiary for from one to five years, or both. Corporations paying any part of their assets to political parties, forfeit their charters and rights of doing business.

Utah. Const. '95, Art. IV, sec. 6. One convicted of a crime against the elective franchise is disfranchised and disqualified for holding office.

Comp. Laws '07, secs. 821-913. Illegal voting or registering or causing others to do so is penalized by imprisonment in the penitentiary or a fine of \$1,000. Illegal voting in the primary is a misdemeanor. Giving or receiving a bribe, or offer of employment as compensation for a vote, is penalized. Disposing of liquor or betting on the elections is a misdemeanor. Employers must not intimidate employees, or cause them to vote con-

trary to their desires. Notices may not be displayed in shops or placed on pay envelopes threatening a decrease in pay or cessation of work in the event of any election contingency, nor may any other notice be posted calculated to influence the political action of employees. Violation of this provision on the part of corporations forfeits their charters. Employees are entitled to a leave of absence of two hours to vote, if application has been made the prior day. Employers may specify what hours the employees may be absent but may not subject them to any penalty for such absence.

Vermont. Const. ch. II, sec. 34. Receiving a bribe for one's vote disqualifies one for voting at that election, and offering a bribe disqualifies one for office for the ensuing year.

Stats. '06, Title III, secs. 104-106, 228-240, Title XXXII, sec. 5952. One guilty of voting when not qualified, aiding another to do so, personation, showing one's ballot, or letting it be known how one voted, or of undue influence through bribery, intimidation or the use of liquor, is punished by fine and imprisonment. Betting on elections or the holding of stakes by any banking or other corporation is penalized. Contributions for a candidate's campaign must be for the purpose of paying his personal expenses only, which include his traveling expenses, the expenses of conducting meetings for the discussion of public questions, stationery, office expense, etc. No periodical may receive any compensation for supporting any candidate.

↓ *Virginia.* Pollard's Cd. '04, Vol. II, secs. 3824-3854. Voting when not qualified, or attempting to influence

voters by bribery or threats of intimidation, deceiving illiterate voters, or furnishing liquor on election day is punished by a fine of \$1,000 or a year's imprisonment. Betting on an election contingency in an amount over \$5 is punished by a fine of from one to five times the amount of the bet. Those guilty of bribery are disfranchised. The general laws guaranteeing the purity of elections apply to the primary.

Pollard's Cd. sec. 145a. Candidates, including those for Congress, may expend money for only printing, advertising in the newspapers and for the holding of public meetings. Violation of this provision is punished by a fine not to exceed \$1,000 and makes the election void. Expense accounts must be filed within thirty days of an election and failure to do so subjects one to a fine not to exceed \$5,000; nor may one undertake the duties of an office till such statement has been filed.

Laws '08, p. 73. For bribery one is disqualified for voting.

Washington. Cd. '81, secs. 3140-3148. Voting when not qualified, intimidating electors or disturbing them in the exercise of the franchise, or circulating false reports concerning candidates is a misdemeanor punished by fine or imprisonment. Offering money, drink or a thing of value to voters or conveying them to the polls to influence their votes is a misdemeanor punished by a fine not to exceed \$1000 or imprisonment, or both, and the disfranchisement of an elector and the disqualification of a candidate for office.

Laws '91, p. 124. Disposing of intoxicants on election day before the close of the polls is punished by a fine of

from \$25 to \$200 or imprisonment in the county jail, or both.

Laws '93, p. 74. Personation in registration or election, or the causing of the name of one not entitled to vote to be placed on the register is a felony punished by imprisonment in the penitentiary at hard labor not longer than five years.

Laws '01, p. 298. Attempting to influence the vote of an elector by force, threats, bribery, or any corrupt means is punished by a fine not exceeding \$1000 or imprisonment in the penitentiary not longer than five years, or both.

Laws '07, p. 474; amended Laws '09, ch. 82. One may lawfully pay to secure the nomination of himself or another only "personal expenses" consisting of the traveling expenses of the candidate, printing, postage, advertisements, telegraphing and similiar expenses, and the expense of holding public meetings. No one may qualify for office who before the primary paid the publisher of a newspaper to publish matter favoring his nomination. A newspaper publisher receiving any consideration for the support of a candidate by his publication is subject to a fine and imprisonment. Those not candidates may use advertising space to advocate or oppose candidates provided it is labeled conspicuously "advertising" and the name of the person making the payment is given. Candidates must file accounts of election expenses within ten days of an election and are penalized by fine or imprisonment for failure to do so. Soliciting money or liquor from candidates for one's influence in the campaign is penalized. The general election laws relative to corrupt practices in the elections apply in the primaries.

West Virginia. Const. '72, Art. IV, sec. 1. Those guilty of bribery at elections are disfranchised.

Cd. '06, secs. 45, 71, 95, 137--178. Voting when not qualified, personation, using money to influence voters or deceiving an elector in the preparation of his ballot is a misdemeanor punished by fine and imprisonment. It is a felony to induce a voter to mark his ballot that it may be distinguished. Those giving money to bribe voters are punished by a fine not exceeding \$1000 or imprisonment, and if candidates, are disqualified for holding office. Places where intoxicants are sold must be closed on election day. The dispensing of liquor on election day is penalized by a fine not exceeding \$50 and, if done by a candidate, forfeits the office. Betting is penalized by a fine of \$50 above the value of the bet. Candidates may not hire others to work for their nomination or election but may pay for holding public meetings and demonstrations and the circulation of campaign literature. Employes must be given a period not exceeding four hours to vote and failure to do so on the part of employers is a misdemeanor punished by a fine of not over \$500. Employes may enforce this right by application for a writ of mandamus.

Cd. Sup. '09, secs. 150b 1-2, 158. Bribery is defined as the offering, giving or receiving of money, employment or things or value for voting or inducing one to vote, the entainment of voters on the part of a candidate, intimidation of voters, personation, or applying for subscriptions for religious or charitable institutions, and is penalized by a fine not exceeding \$100. A candidate may pay for his "personal expenses" which consist of personal travelling

expenses and expenses for public meetings, printing, telegraphing, clerk hire, etc. The total amount of a candidate's expenses must not exceed an amount dependent upon the vote cast at the previous election for the office he seeks. Within thirty days of an election, candidates must file sworn, itemized expense accounts. They may receive no salary till such statements are filed and are subject to fines for negligence in filing them. Political committees must operate through political treasurers who must also file expense accounts. Corporations may make no campaign contributions. All prosecutions under these laws must be made within one year of the time when the offense was committed.

40 *Wisconsin.* Rev. Stats. '98, secs. 13, 4478-4546. One guilty of personation or aiding another to do so is punished by imprisonment in state's prison for from two to five years. Giving or offering money or a thing of value or employment to influence any elector, is bribery punished by imprisonment in state's prison for from six months to two years. Any office gained by bribery shall be deemed vacant. A voter receiving a bribe for his vote and anyone who through intimidation, duress, or fraud interferes with an elector in giving his vote shall be imprisoned in the county jail for from one month to one year. Those convicted of betting on an election may be fined not less than five times the amount of the bet and those convicted of bribery or betting are excluded from the right of suffrage. Deceiving an illiterate voter so that he votes contrary to his desire is punished by fine or imprisonment. No one except a candidate may make any contribution for any campaign fund to be used out of the district in which he

resides except to a state or district political committee. Violation of this provision is punished by imprisonment. Political committees must receive and disburse funds through political treasures who must keep account of all receipts and disbursements and file sworn, itemized accounts thereof within thirty days after an election. When filed, these are open to public inspection for a period of one year and then destroyed. Failure to keep such accounts or defacing them or neglecting to file a statement of account is punishable by imprisonment in the county jail.

Sup. '05, secs. 4543, 4543c (Laws '05, ch. 313; ch. 502). Illegal registration or voting is punished by fine or imprisonment. Candidates must file within thirty days of the election, sworn and itemized statements of their accounts showing in detail each item above \$5 that they have spent or have any reason to believe others have spent for them and name the persons through whom disbursements were made. Failure to do so subjects one to a fine of from \$25 to \$500.

Laws '07, ch. 666, secs. 11-24—11-25m. What are offenses against the general laws constitute offenses if committed in the primaries. Disposing of liquors on the day of a primary election is punished by fine and imprisonment.

45 *Wyoming*. Cd. '10, secs. 2214-2319, 5979. Illegal registration or aiding others in so doing or swearing falsely as to one's qualifications as an elector is punished by a fine not to exceed \$500 and imprisonment in the county jail, or both. Bribery of electors, voting when not qualified, personation, inducing others to vote illegally, or paying or receiving a reward for political service, or interfering with an elector in the exercise of the franchise

by intimidation or otherwise, is punished by a fine not exceeding \$500 or imprisonment or both. Those guilty of betting may neither vote nor hold office. Liquor must not be dispensed on election day and any one soliciting, furnishing or receiving liquor or a thing of value during the campaign to influence a vote is punishable by a fine not exceeding \$1000. In cities and towns, carriages may be furnished only for sick or infirm voters.

SUMMARY.

The leading provisions of contemporary law to prevent corruption of the electorate or the improper use of money or influence in the campaign may be outlined under the following heads: 1. For the prevention of illegal voting; 2. Intimidation of electors; 3. Publicity of campaign expenditures; 4. Restrictions on contributions; 5. Limitation on expenditures; 6. Use of political agents and workers; 7. Advertising; 8. State contributions; 9. Miscellaneous provisions; and 10. Penalties for violation.

ILLEGAL VOTING. Nearly all of the states punish those who register or vote when they are not qualified electors or who vote more than once or in the name of another.

Illegal Registration. A felony in Ala., Ia., Md., Mo., Mont., Neb., N. J., N. Y., S. D. and Utah; and a misdemeanor in Ariz., Cal., Conn., Del., Ga., Id., Ky., Mass., Miss., Nev. and S. C.

Aiding or advising those not qualified to register. A felony in Mo. and Okla.; a misdemeanor in Cal., Nev., S. D., Utah, and Wyom.

Illegal Voting. A felony in Ala., Ark., Cal., Id., Ind., Ky., Okla., Md., Miss., Mo., Mont., Neb., Nev., Tex., and Utah; a misdemeanor in Ariz., Colo., Conn., Fla., Ia., Ill., Kans., La., Mass., Me., Mich., N. H., N. J., N. Y., S. D., Tex., Wash., W. Va., and Wis.; in Fla., Ill., Ind., La., N. M., Pa., R. I. and Utah it is punishable by a fine of \$1,000.

Aiding or advising those not qualified to vote. A felony in Mo., Neb., and Wis. A misdemeanor in Cal., Ia., Id., Ill., Mont., Nev., N. J., Okla., S. D., Tex., Vt. and Wash.

Personation. A felony punishable by ten years in the penitentiary in Miss.; five years in Mo., Neb., N. Y.; Wash. and Wis.; hard labor for three years. Colo., Kas., Ore.; also a felony in Eng., Fla. (for a second offense), Ia., Ky., Nev., N. D., Ohio and Okla. A misdemeanor in Conn., Fla. (for a first offense), Del., Mich., N. Y., Vt., and W. Va.

Voting in the primary of a political party to which one does not belong is a misdemeanor in Colo., Conn., Ia., N. Y., Ohio, S. D., Tenn. and W. Va.

It is reasonable to require an elector to declare his party affiliation in order to be entitled to vote at a primary. *Shortag v. Cator*, 151 Cal. 600—(1907).

INTIMIDATING ELECTORS.

In most states it is illegal to attempt to control the vote of an elector or prevent its being cast. Many states attempt to prevent the control by employers of the votes of their employees.

Interfering with electors when they attempt to exercise the right of suffrage is a felony in Ala., Ind., and Nevada, and a misdemeanor in Id., Kans., Mo. and Okla.

Intimidating electors in an attempt to control their vote is a penitentiary offense in Cal., Ky., Miss., Neb. and Nev.; a gross misdemeanor in Minn.; and a misdemeanor in Ariz., Colo., Del., Ia., Kans., N. Y., Ore., Pa., R. I., S. C., Tenn., Tex., Utah., Wash. and Wis. It is punishable by a fine of \$1,000 in Id., Ind., Mont., Nev., N. M. and N. D.

Intimidation of employees by employers so that they do not vote in accordance with their desires is punished by heavy fines in Ala., Colo., Conn., Fla., La., Miss., Mont., Neb., N. J., Ohio, S. C., Utah and Wash.; by a penitentiary sentence in Mo., N. J., Ohio and Wash.; and by lesser sentences in Cal., Conn., Neb. and Okla. Corporations are fined as high as \$5,000 for such viola-

tions in Ariz., Ky. and Okla., and forfeit their charter in Cal. Ky., Tenn. and Utah.

Posting notices in a shop to the effect that work in any establishment will cease or pay be decreased upon any election contingency, or putting mottoes or devices on pay envelopes, or attempting in any such ways to influence the votes of employes, is penalized in Ariz., Cal., Colo., Md., Mont., N. Y., S. D., Utah and Tenn.; and causes a forfeiture of corporation charters in Cal., N. Y. and S. D.

Employes must be given time to vote in many states and for their absence from work for such purpose no penalty may be imposed. It is usual to require that they ask for leave the previous day and absent themselves at such hours as the employer may designate.

They may be absent two hours in Colo., Ia., Ill., Kans., Mass., Ohio, Okla., N. Y., S. D. and Utah; four hours in Ind., Ky., Md., Mo. and W. Va.; "the forenoon" in Minn.; and a "reasonable time" in Fla. In Ark. employers must suspend work or change the force at 4 P. M. on election day.

PUBLICITY.

Statements of receipts and expenditures. The requirements made in the different states for filing sworn, itemized statements vary. Provision exists for statements by candidates, political agents, committees and others handling funds.

Candidates must file statements within ten days after the election in Ia., Okla. and Wash.; within seven days in Mass.; fifteen days in Ark. (for county officers), Cal. and Ore.; twenty days in Ga. and N. Y.; thirty days in Ala., Ariz., Ark., Colo., Md., Minn., Mo., Okla., Pa., Va. and Wis.; and within forty-two days of an election in England. In Fla., one statement of election receipts and expenses to-date must be filed ten days before the primary and a second statement must be filed ten days after

the primary. In Neb. two statements must be filed, one fifteen days before the primary and the second twenty days after. In Pa., a report must be made within fifteen days, of all receipts over \$15. Candidates must notify the secretary of the election boards in Okla. through whom they will spend money and in S. C. must swear that their office has not been secured by bribery or corrupt practices.

Committees must file statements within ten days in Ia., Md., and Tex.; twenty days in N. Y.; and thirty days in U. S., Colo., Kans., Mass., Minn., Mo., Mont., and S. D. Committees are required to file two statements in Neb., one fifteen days before the primary and another within twenty days after. /✓

Political agents must file statements within ten days in Tex., fifteen days in Conn., twenty days in Md. and thirty-five days in England.

Others handling funds. In Neb., N. Y., and Texas, all those who handle funds must report; in Mont. those spending over \$10; and in Mass. and Neb., those receiving or expending over \$20, must report. Our federal law and the laws of Pa. require statements from those contributing over \$50.

What statement must include. Requirements vary in different states but generally the English statute is followed requiring a detailed statement of all income and expenditures, stating through whom these were made and for what purpose expenses were incurred. It must note the personal expenses of candidates, unpaid claims, etc. Some states require vouchers for all payments and the amounts paid for specified purposes, e. g. newspaper support.

Compare the laws of Eng., Cal., Mont., Okla., Ore., Pa., Tex. and Wis.

With whom filed. In general a candidate for a city office must file his statement with the city clerk, a candidate for a county office with the county clerk, and a candidate

for an office voted on by the electors of more than one county, including state offices, congressional and U. S. Senatorships, with the secretary of state. Some states require the filing of statements in duplicate and some require a copy to be filed with the officer issuing the certificate of nomination or election and forbid his issuing such certificate before a statement is filed. The federal law requires congressmen to file statements with the secretary of the House of Representatives.

Publication of Statements. Some of the laws merely require that the statements be filed for public inspection; others provide for advertisement in newspapers, while still others require publication in the form of a public document.

English law requires a summary to be published in at least two newspapers in each county. Statements are open for inspection for six months in Ore., a year in Wis.; fifteen months in U. S., Conn., Mont., and N. Y.; two years in Eng. and Pa.; and four years in Minn., Mo., and Neb.

Failure to keep accounts and file such a statement is penalized by fine and imprisonment in most states and office may not be taken till such a statement has been filed. The English law makes a per diem fine of £100 and the Ore. law of \$25.

Vouchers must be shown in England for all payments over 40s.; in Pa. for all over \$10; in Mass., N. Y. and Ore. for all over \$5; and under the federal law for all over \$100.

RESTRICTIONS ON CONTRIBUTIONS. One of the chief purposes of corrupt practice legislation has been to control the sources of contributions and in accordance with this desire political assessments and contributions from cor-

porations, non-residents, and candidates for the U. S. Senate have been forbidden. Laws have also been passed to limit other contributions.

Limit on contributions. In Neb., contributions of over \$1,000 may not be received in one payment nor amounts over \$25 within two days of the election.

Political assessments. Compare laws of U. S., N. Y., Ore. and Tex. In Ariz. candidates' contributions to campaign committees must be made at a private meeting at which candidates only are present. Contributions may not be solicited from candidates in Fla., Mich., Miss., Mass., Mo., Mont., N. J. or N. Y.

Contributions from corporations are forbidden by many states, compare the laws of Conn., Md., Ore., Pa., S. D., Tenn., Texas and the federal law. Violation is punished by forfeiture of the charter in Fla., Ky., Mo., Ore. and Wis. Soliciting from corporations is penalized in Ia., Mass., and Ore.; and from insurance companies in N. J. In Miss. common carriers may not make special rates to political parties or candidates. Fines of \$5,000 are imposed for violation in Colo., Ky. and Wis.; and of \$10,000 in Fla., Mass. and Ore. In Ga. a fine of ten times the amount of the contribution but not less than \$1,000 is imposed. Severe penalties are placed upon officers through whom such contributions are made in Ga., Mass. and Tex.

Contributions from non-residents. In Wis. no one except a candidate may make any contribution to any campaign fund to be used out of the district in which he resides except through a state or district political committee, violation is punished by imprisonment.

Contributions from those not candidates except through a political committee is forbidden in some states. Compare laws of Conn. and S. D.

Candidates for the U. S. Senate who contribute to the campaign funds of candidates for the legislature are guilty of felonies in Cal.

LIMITATIONS ON EXPENDITURES. Some states prescribe minutely what payments are legal and prohibit all

other payments, other states list in detail what constitute illegal expenditures, and still others list legal and illegal expenditures.

Legal Expenditures consist, in general, of the personal, traveling, and hotel expenses of the candidates, printing, advertising, stationery, expressage, telegraphing, telephoning, holding public meetings and payment for a limited number of committee rooms and attendants.

In general the English law is followed but note laws of Cal., Conn., Md., Mich., Minn., N. Y., N. D., Pa., S. D., and W. V.

Candidates, contributions are based on the number of votes cast at the last election for the offices for which they are candidates in Eng., Md., Minn., Mo., Neb. and W. Va.: and on the salary of the office in Cal., Colo. and Ore. In Vt. the law allows a candidate to pay only his own personal expenses.

Maximum of candidates' expenditures is fixed in Mont. as \$1,000 for candidates for congress or a state office, \$100 for candidates for county offices and \$50 for candidates for the legislature. In N. Y. it is fixed as \$10,000 for a candidate for governor, \$6,000 for a judgeship, \$4,000 for other state officers, \$2,000 for state senator, \$1,000 for candidates for the assembly, amounts for other offices to be determined by the number of votes cast for the office at the last election. In Okla. there is a fixed scale for the office sought.

Illegal Expenditures. The usual prohibitions relate to bribery, betting, treating and entertainment, conveyances for voters and workmen at the polls.

Compare the laws of Eng., Mich., Mont., N. D. and Ore.

Bribery. Although this is an offense at common law, nearly all states have enacted statutes punishing it severely.

It is defined to include a list of offenses in Ky., Mich., Mont. N. J. and W. Va.; and is made a penitentiary offense in Ala., Cal., Kans., La., Md., Minn., Mo., Nev. and Wis. It is a mis-

demeanor in Colo., Fla., Ia., Id., Ky., Me., Mass., Mich., Mont., N. M., N. J., N. Y., N. D., S. C., Vt., W. Va., Wash. and Wy. It is punished by disfranchisement, and generally by disqualification for holding office, in Ala., Ind., Me., N. J., Okla. and Wash.; and in most states it is punished by penitentiary sentences. In Ill., the person receiving a bribe is penalized, but the one bribing is specifically exempt from prosecution.

Promising office or employment in order to secure votes is penalized in Cal., Conn., Mass., Mont., Nev., N. J., N. D., Ore., S. D. and Texas.

Treating and entertaining electors in an attempt to influence their votes, is generally punished as a misdemeanor, by fine and imprisonment in the county jail.

Compare the laws of Cal., Ia., Kans., Mich., Minn., Mo., N. Y., Ore. and W. V.

Liquor. Most states require saloons and bar-rooms, at least those near the polls, to be closed and penalize the disposal of liquor on election day. Violation is generally declared a misdemeanor punished by a fine and imprisonment and sometimes forfeiture of liquor licenses.

Betting is penalized as a species of bribery in most states and is usually punished as a misdemeanor by a fine, often varying with the size of the bet.

Wagers on elections are void at common law. *Johnson v. Russel*, 37 Cal. 670 (1870).

Contributions to churches, eleemosynary institutions, etc., during or immediately preceding a campaign are forbidden in Fla. and Ore.; and such societies asking contributions of candidates are subject to a fine in W. Va. In Miss. a candidate may not contribute to charitable institutions outside of his county.

Claims for campaign services must be presented within eight days after the election in Neb.; ten days in Cal., and fourteen days in Eng. They must be paid within twelve days in Cal. and within twenty-eight days in England.

Offering to accept office at less than the salary allowed by law is penalized in Del., Kan. and Mo.

Paying others' poll taxes that they may vote is penalized in Fla., Tenn. and Tex.; and the paying of naturalization fees for that purpose is forbidden by the laws of Mass., Neb. and Tex.

Providing conveyances to take voters to and from the polls is forbidden in Eng., Ariz., Cal., Mich., Mont., Nev., Okla., Texas, Wash. and Wyom. except for those who are infirm.

Furnishing bands of music for election purposes or buttons or badges to be worn near the polls are forbidden by the laws of Eng. and Ore.

POLITICAL AGENTS.

Following the English act many states have attempted to fix definite responsibility for excessive use of money by requiring that all contributions and expenditures be made through responsible agents and forbidding the indiscriminate hiring of workers at the polls.

Payments through agents. In England a candidate may not personally expend over £100, further expenditures must be through an agent. He is responsible for the illegal acts of that agent alone. In Ala. the law requires candidates to appoint election agents and notify the judge of probate as to who they are.

Political treasurers are required for political committees in most states which attempt to regulate the activity of committees. Contributions and expenditures must be made through them and they are responsible for filing election expense accounts.

On this point compare the laws of Conn., Kans., Mass., Minn., Mont., N. Y., Ore., Pa. and Wis. In Conn. and N. Y. the secretary of state must be notified at once as to who the political treasurer is to be.

Election workers may not be hired in accordance with Eng. law, nor in Ga., Ia., Kans., Miss. or Mont. In Hawaii a limited number may be hired but a list of them must be supplied the inspectors of precincts. Fla. law requires a candidate to submit a list of those leaving their regular avocations to aid his election.

ADVERTISING.

Attempts to prevent the purchase of editorial support; publication of anonymous campaign articles and posters, of political advertisements as news, and of forged campaign literature, have been made in several states.

Editorial support may not be sold by newspapers under the laws of Mass., Ore., Vt. and Wash.

Newspaper advertisements of a political character must be designated "political advertisement" in Mass., Ore., Texas and Wash. in type of good size and must be accompanied by the names of those inserting the advertisement. They must be signed in N. J. also.

Publishing false statements of the withdrawal of candidates is penalized in Eng. and Hawaii, and the publication of forged campaign literature is punished in N. H.

Posters must bear the names of their writers and publishers in Cal., Minn., Miss. and N. J.; of the writer and publisher in Ore.; and of the printer in Eng. and Miss. Posting political advertisements is forbidden in Mich. or the publication of large sized lithographs, half tones, etc. Posters may not be distributed near the polls in Fla.

STATE CONTRIBUTIONS.

The Oregon plan of having the secretary of state mail each voter a pamphlet discussing the qualifications of candidates for office necessitates a state appropriation. The Colorado law, providing that state funds be paid political parties for campaign purposes at the rate of twenty-five cents for each vote cast by that party in the last election, has recently been declared unconstitutional.

MISCELLANEOUS PROVISIONS.

Other acts which are penalized as corrupt practices in some states are

Using false naturalization certificates, punished by federal law and the law of N. Y. and Texas.

Forging campaign literature, punished in N. H. by a fine of \$1,000.

Inducing one to become a candidate by the use of money, forbidden in Mont. and Ore. Inducing a candidate to withdraw is penalized in England, Hawaii and Mont.

Attacks on the personal character of a candidate, penalized in Eng. and Ore.; must be signed by the author in Minn.

PENALTIES.

The penalties vary according to the nature of the offence, and consist of fines and imprisonment in the

penitentiary, disfranchisement and disqualification for holding office and its vacation if it has been entered upon. For the more heinous offenses, such as bribery, contributing to campaign funds or interference by employers or corporations with the exercise of the suffrage on the part of their employes, fines, and forfeiture of corporation charters and rights of doing business in the state.

Maximum fines imposed by states vary from \$500 in Miss. and in Wis. (for violations by individuals); to £200 in England; \$1000 in Ala., Hawaii, Id., Ia., Ind., Kans., Mo., Mont., N. Y., Pa., R. I. and Utah; \$2000 in N. J. for bribery; \$5000 in Nev. for the promise of an office; in Ariz. and Wis. \$5000 for violations of the election law by corporations; and \$10,000 in Fla. and Mass. for the making of contributions by corporations.

Imprisonment. Among the more severe penitentiary sentences may be noted the following maxima in the respective states: Hawaii and Pa.; two years; Ala., Ia., Ind., Mo., Mont., Nev., N. J., N. Y. and Wis., five years; Minn., seven years; and Miss., ten years.

Disfranchisement. This is a penalty frequently imposed for bribery and for conviction of a felony. Among the states where indefinite or perpetual disfranchisement or disfranchisement until pardoned is a penalty are, Fla., Id., Ind., Kans. and Ky.

Disfranchisement for a shorter period, usually from two to five years is in practice in Eng., Del., Miss., N. Y., Pa., Utah, Vt., and Wash.

Disqualification forever from holding office or occupying any position of trust or profit in the state are penalties imposed for bribery, illegal voting, intimidating voters or for felonies, in Eng., U. S., Ark., Hawaii, Id., Kans., Ky., Mass., N. Y., R. I. and W. Va.

Disqualification for a limited time for holding office or any position of trust or profit in the state are among the penalties in Eng., Ind., Ky., N. Y. and S. C

Elections are annulled which have been secured by bribery according to the universal rule. This is also frequently incorporated in statute law.

See laws of Eng. and R. I.

An office secured by bribery or certain gross corrupt practices must be vacated in accordance with the law in many states.

See laws of Eng., Hawaii, Ia., Kans., Mo., N. Y. and Wis.

WISCONSIN LIBRARY COMMISSION

COMPARATIVE LEGISLATION BULLETINS

- No. 1. Railway Coemployment.
- No. 2. Lobbying.
- No. 3. Corrupt Practices at Elections: Contributions and Expenditures. (Out of print)
- No. 4. Exemption of Wages.
- No. 5. Municipal Electric Lighting. (Out of print)
- No. 6. Trust Company Reserves. (Out of print)
- No. 7. Taxation of Trust Companies. (Out of print)
- No. 8. Municipal Gas Lighting. (Out of print)
- No. 9. Boycotting. (Out of print)
- No. 10. Blacklisting. (Out of print)
- No. 11. The Initiative and Referendum: State Legislation. (Out of print)
- No. 12. The Recall. (Out of print)
- No. 13. Primary Elections: The Test of Party Affiliation.
- No. 14. Proportional Representation.
- No. 15. Juvenile Courts.
- No. 16. Telephones: Interchange of Service.
- No. 17. Mortgage Taxation.
- No. 18. Municipal Home Rule Charters.
- No. 19. Tenement House Legislation: State and Local.
- No. 20. Accident Insurance for Workingmen.
- No. 21. The Initiative and Referendum. (No. 11 Revised)
- No. 22. Certified Public Accountants.
- No. 23. Corrupt Practices at Elections. (No. 3 Revised)

UNIVERSITY OF CALIFORNIA LIBRARY
BERKELEY

Return to desk from which borrowed.

This book is DUE on the last date stamped below.

DEC 24 1947

NOV 22 1984

20 Jan 54 PM

Dec 22

RECEIVED BY

FEB 1 1969 48

DEC 14 1984

RECEIVED

CIRCULATION DEPT.

JAN 31 '69 - 9 AM

MAR 21 2003

LOAN DEPT.

Rec'd Publ

MAR 25 '02

APR 1 1972 20

REC. CIR. DEC 22 '77

GENERAL LIBRARY - U.C. BERKELEY

8000703088

279429

UNIVERSITY OF CALIFORNIA LIBRARY